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HISTORY

OF THE

UNITED STATES,

FROM THE

DISCOVERY OF THE AMERICAN CONTINENT.

BY

GEORGE BANCROFT.

VOL. IX.

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LITTLE, BROWN AND COMPANY.
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THE

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BY

GEORGE BANCROFT.

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PREFACE.

One volume more will complete the American revolution, including the negotiations for peace in 1782. For that volume the materials are collected and arranged, and it will be completed and published without any unnecessary delay. A single document only, but that a very important one, had been wanting; on my request for it through my friend John Bigelow, our minister at Paris, copies of it were ordered for me with the utmost courtesy and promptness by M. Drouyn de Lhuys. That volume will bring into the field in direct action Spain, France, and Great Britain, as well as the United States. I shall endeavor to treat them all with equal impartiality, and I do not doubt of finding a corresponding disposition in my countrymen. I hope to present in a just aspect those who rendered great services to the country, unmindful of any personal differences which may have grown up among them. Especially the documents respecting the preliminaries of peace of which I

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have acquired copies are so complete that I trust I may be able to disentangle the confusion which has grown out of judgments founded upon rumor and imperfect materials, and to set down with exactness the respective parts of all who were employed in the pacification, without impairing the merits of any one.

In addition to very full collections relating to the war in the United States from the archives of England and of France, I have been most successful in obtaining masses of papers from Germany. In the time of the late king of Prussia I received permission to examine the archives of the department of foreign affairs at Berlin. I was unable to go there in person; but with the hearty coöperation of my friend Joseph A. Wright, our minister, I have yet obtained from that metropolis most important assistance, for which I am specially indebted to the prompt and efficient directions of Lieutenant-General von Moltke, the chief of the Prussian staff, the same who, by his part in the plan and execution of the last Prussian campaign in Bohemia, has taken his place among the world's greatest captains. The reports and letters sent over for the information of the Duke of Brunswick came during the period of revolution to be placed among the military archives of Prussia. Of all these which were of any historical value exact copies were made for me, including charts and plans of battles and military works. These papers are of inestimable importance, especially for the study of military operations in 1777. A very large collection of journals and correspondence had been made

by Captain Max von Elking, author of a "Life of General Riedesel," and of a history of "German Auxiliary Troops in the American War of Liberation." This entire collection he was so good as to allow me to secure. It had been made with rare opportunities, and includes letters of Burgoyne and voluminous autographs of Riedesel.

The archives of Hesse-Cassel have not as yet been laid open to the public; but I have gained through private sources interesting and instructive journals and reports of Hessian officers. It was also my good fortune to obtain for a correspondent a colonel of the Prussian staff, an officer of high military attainments and superior knowledge, who at the same time has the merit of eminent literary culture and familiarity with historic investigations. Through him a general and persevering search was made in the public libraries for all German works which contain anything on our war, and especially for the miscellaneous articles scattered through journals and magazines from the days of the revolution till now; and where the originals could not be purchased, copies were made for me of all which was found. In this way I possess the criticisms of German officers who served in America, and an exhaustive body of materials, such as has very rarely, if ever, been brought together on a historical subject of a like nature. My object in seeking so full a collection of military papers was to insure a correct comprehension of military events by comparing the narratives, opinions, and judgments of distinguished critics educated as soldiers. The special value of these German documents con-

sists in this: that they are in the main the most impartial of all which have been preserved.

For further security against error while my pages were passing into type, it was my custom occasionally to submit proofs to the trained scrutiny and special erudition of my friend the late Jared Sparks. In addition to these precautions, some of the ablest officers of our army have given me the benefit of their views on such military questions as I proposed to them. But while I have spared no pains to gain assistance, I am alone responsible for what I have written.

With regard to the diplomatic relations of the several European powers interested in our struggle, my collections leave nothing to be desired. In addition to those which I had formerly obtained in Europe, and of which I have heretofore given some account, I received, through the courtesy of the Spanish government and the kind attention of Don Pascual de Gayangos, very valuable documents from the Spanish archives. The papers taken collectively enable me to state with certainty the relations of the English and French and Spanish ministers and kings towards our revolution, as well as of other powers, especially the German powers, Holland, and Russia, even to the shades of difference in opinion and the varying counsels and policy of the sovereigns and their cabinets.

I am aware that this volume is more minute in the narration of some events than a proper symmetry would permit. But the years to which it relates are the most important of the war in more aspects than one. It was in the last months of

1777 that the spirit of separatism was at its topmost flood, never again to rise so high; it was out of the principles of this period that the articles of confederation took their character; its events determined the alliance of France, and its vicissitudes most clearly display the character of Washington.

Washington was not satisfied with any history of the revolution which appeared during his life. He kept his papers with the utmost care, building a fireproof apartment for their security, evidently thinking, that, though a history of his services had not been adequately written, one day careful inquirers, with the aid of his correspondence, would rise up to do him justice. The labors of Marshall and of Sparks prove that his confidence was well founded. No one has more carefully described his part in the campaign of 1777 than Marshall; and yet that biographer did not say all that may with truth be said of the greatness of Washington during that year. He failed, for example, fully to point out the effect of the advice and disinterestedness of the commander-in-chief on the success of the northern army.

I have done what I could to learn the truth and to state it clearly; to the judgment of the candid and the well-informed I shall listen with deference. This contribution to the history of the country I lay reverently on the altar of freedom and union.

New York, *September* 24, 1866.

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MEMORANDUM.

Accustomed to give the most careful attention to any criticism on any historical point which I may have discussed, I have very rarely noticed, and indeed, from general good-will, have very rarely had occasion to notice, any effusion of personal malice.

Some years ago a most unjust criticism was made on a note in the second volume of this History. I produced the document which was my authority for that note, and it was so conclusive that everybody who read it, including the author of the criticism himself, saw that I had been in the right; but the author of the criticism, instead of an apology and a correction, made his retreat with other imputations equally erroneous, for one or two of which he cited the Reverend George E. Ellis as his witness.

How unfounded was a complaint made in the name of Mr. Ellis will best appear from the letters of Mr. Ellis himself, which a few explanatory words may precede.

The late Mr. Grahame having written me a friendly letter in 1837, and sent me a copy of his History, I replied to him and sent him a copy of mine as far as published in the year 1838, by the Reverend George E. Ellis, then on his way to England. While Mr. Ellis was in Europe, Mr. Grahame on the twenty-eighth of February, 1839, wrote respecting me to Mr. Robert E. Walsh at Paris, and Mr. Walsh allowed Mr. Ellis to take for me an extract of this letter. Mr. Grahame also on the tenth of March, 1839, wrote to Mr. Ellis promising my enterprise "an expression of votive benediction," and sending me his "respectful and affectionate regards." This extract of Mr. Grahame's letter to Mr. Walsh, and this letter of Mr. Grahame to himself, Mr. Ellis very properly gave me, as he says, on his return from Europe, that is, certainly before the tenth of June, 1839.

In 1846, Mr. Quincy wrote a memoir of Mr. Grahame, and in the introduction said: "Robert Walsh, Esquire, transmitted to me many of his letters to himself. William H. Prescott, Esquire, and the Reverend George E. Ellis have extended to me like favors." In the course of the memoir Mr. Quincy quoted from the letters of Mr. Grahame to Mr. Ellis which he had in his hands.

A very great wrong having been done me in the memoir, I needed to see the letters from Mr. Grahame to Mr. Ellis, which Mr. Quincy thus acknowledged to have received from Mr. Ellis, and in general terms wrote to Mr. Ellis for a sight of them. He would not suffer me to peruse them, and gave this as his excuse for refusing my request:

Charlestown, February 2d, 1846.

My dear Sir,

I have not in my possession either of the letters of Mr. Grahame to me relating to the matter of Clarke. I loaned them all to you soon after my return from Europe, and have never seen them since, though I have frequently, as you may remember, asked them of you.

Geo. E. Ellis.

Now at the time when he wrote this, a letter of Mr. Grahame to him, dated sixth of November, 1839, "relating to the matter of Clarke," was either in the possession of Mr. Ellis himself, or in the hands of Mr. Quincy from Mr. Ellis himself, as appears by Mr. Quincy's publications.

On receiving the note of Mr. Ellis, I returned to him the letter from Mr. Grahame to himself, which he had given me. I did not send back the extract of Mr. Walsh's letter; the original was then in Mr. Quincy's hands, and known to be there. I now renewed my request, specifying one letter in particular from Mr. Grahame to Mr. Ellis, describing it as to date as well as I could from distant recollection, but most precisely as the letter on which I had, in December, 1839, based a letter to Mr. Prescott, to be communicated to Mr. Grahame. To this second request he made answer:

Charlestown, March 12th, 1846.

My dear Sir,

After a thorough examination of my files of foreign letters, I cannot find that one of Mr. Grahame's for which you ask. I think you must have it, as I loaned all his letters to you at the same time that I put into your hands the one you have just returned to me.

Geo. E. Ellis.

The exact date of the letter for which I had asked, was, as I afterwards ascertained, November sixth, 1839. It was therefore written several months after the time fixed by Mr. Ellis himself as the time of his loaning it to me; and moreover it was then either in his own hands, or by his own act in those of Mr. Quincy, by whom a large part of it was soon afterwards printed, with the manifest concurrence of Mr. Ellis himself.

THE

AMERICAN REVOLUTION.

EPOCH FOURTH.

THE INDEPENDENCE OF AMERICA IS ACKNOWLEDGED.

1776—1782.

THE INDEPENDENCE

OF THE

UNITED STATES OF AMERICA

IS ACKNOWLEDGED.

CHAPTER I.

THE THIRTEEN UNITED STATES.

July, 1776.

The American Declaration of Independence was the beginning of new ages. Though it had been invited, expected, and prepared for, its adoption suddenly changed the contest from a war for the redress of grievances to an effort at the creation of a self-governing commonwealth. It disembarrassed the people of the United States from the legal fiction of owning a king against whom they were in arms, brushed away forever the dreamy illusion of their reconcilement to the dominion of Britain, and for the first time set before them a well-defined, single, and inspiring purpose. As the youthful nation took its seat among the powers of the earth, its desire was no longer for the restoration of the past, but turned with prophetic promise towards the boundless

CHAP. I. 1776. July.

future. Hope whispered the assurance of unheard-of success in the pursuit of public happiness through faith in natural equality and the rights of man.

Before receiving the declaration, the convention of Maryland, on the sixth of July, yielded to "the dire necessity" of renouncing a king who had violated his compact, and "conjured every virtuous citizen to join cordially in maintaining the freedom of Maryland and her sister colonies."

Two days later, the committee of safety and that of inspection at Philadelphia marched in procession to the state-house, where the declaration was read to the battalions of volunteers and a vast concourse of the inhabitants of the city and county; after which the emblems of royalty were taken down from the halls where justice had hitherto been administered in the king's name, and were burnt amidst the acclamations of the crowd, while merry chimes from the churches and peals from the state-house bell proclaimed liberty throughout the land.

The ravages of immediate war that overhung New Jersey were distinctly foreseen by her statesmen, who dared not trust "that their numbers, union, or valor, or anything short of the almighty power of God could save them;" but the congress of that state, in presence of the committee of safety, the militia under arms, and a great assembly of the people, having faith in "an interposing Providence," and an inward witness to the vitality of their political principles, published simultaneously at Trenton the declaration of independence and their own new constitution.

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On the morning of the ninth, the newly elected convention of New York, invested with full powers from the people, assembled at White Plains, chose as president Nathaniel Woodhull of Suffolk county, a man of courage, sound judgment, and discriminating mind, and listened to the reading of the declaration of independence. In the afternoon they met again, thirty-eight in number, among whom were Woodhull, Jay, Van Cortlandt, Lewis Morris, Gouverneur Morris, Gansevoort, Sloss Hobart, the Presbyterian minister Keteltas, and other representatives of the Dutch, English, and Huguenot elements of the state. The British were concentrating their forces near that one colony alone, so as to invade it from Lake Champlain and from the sea. Already a numerous and well-appointed British force lay encamped on Staten Island, and, with the undisputed command of the water, menaced the city of New York; the militia of Staten Island, to the number of four hundred, had sworn allegiance to the king; Long Island must yield; the royalists were confident that the army of Howe might penetrate the interior, get the main body of the American levies between them and the sea, form a junction with the British troops which were expected from Canada, and before the end of the year crush the state into subjection. There was no chance of ultimate success for the inhabitants of New York but through years of sorrow; during which they were sure to be impoverished, and on every part of their territory to meet death from regular troops, and partisans, and savages. If resistance to the end should be chosen, Lewis Morris must abandon his fine estate to the unsparing ravages of

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the enemy; Woodhull, whose days were numbered, could not hope to save his constituents from immediate subjection; Jay must prepare to see his aged father and mother driven from their home at Rye, and, with the sensitiveness and infirmities of age, pine away and die as wanderers; the men from Tryon county, which then included all the western part of the state, knew that their vote would let loose the Indian with his scalping-knife along their border. But they all wisely trusted in the unconquerable spirit of those by whom they had been elected. The leading part fell to Jay. On his report, the convention with one voice, while they lamented the cruel necessity for "independence, approved it, and joined in supporting it at the risk of their lives and fortunes." They directed it to be published with the beat of drum at White Plains, and in every district of the state; empowered their delegates in congress to act for the happiness and the welfare of the United States of America; and named themselves the representatives of the people of the State of New York. By this decree the union of the old thirteen colonies was consummated; and from that day New York, ever with the cup of misery at her lips, remained true to her pledge.

In announcing independence to the generals and the divisions of the continental army at distant posts, the commander-in-chief attributed to the impulse of necessity and the repetition of insufferable injuries the dissolution of the connection with Great Britain; at the same time he asserted the perpetual claim of the colonists to "the privileges of nature" and "the rights of humanity." The declaration was read on

the ninth to every brigade in New York city, and received with the most hearty approbation. In the evening, a mob, composed in part of soldiers, threw down the equestrian statue of George the Third which stood in the Bowling Green, and the lead of which it was formed was cut in pieces to be run into bullets. The riot offended Washington, and was rebuked in general orders.

On the same day which saw New York join the union, the royal governor of Virginia left his moorage near Gwynn's island, where he had lingered from the twenty-fourth of May in the constant hope of relief. Neglected by the troops which had passed by him for the Carolinas, his last resource was in the negroes whom he had enlisted; and of these, five hundred, or about one half of the whole number, had perished from the small-pox and a malignant ship-fever. He lay between the island and the main, within range of two small batteries which had just been finished. Lewis, who had had no part in their construction, arrived just in time to put the match to the first gun. Every shot struck Dunmore's ship, and did such execution that the men soon refused to stand to their guns; not a breath of air was stirring, but he was obliged to cut his cable, and trust to the little tide to drift him from the shore. Of the tenders, one was burnt and another taken. On the eleventh the island was abandoned; and the ill-provided fleet rode at anchor near the mouth of the Potomac. Here a gale sprung up, which wrecked several of the small crafts, and drove a sloop on shore, where it fell into the hands of "the rebels." To disencumber himself of everything but

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the transports, the governor advised all those who had placed themselves under his protection to seek safety by flight; and they scattered immediately for Great Britain, the West Indies, and St. Augustine. This confession of his inability to take care of those who had come to him for refuge, when contrasted with his passionate boastings and threats, exposed him to contempt; his use of black allies inflamed the southern colonies, without benefit to the crown.

Dunmore roved about for some weeks longer in the waters of the Chesapeake, vainly awaiting help; but no hostile foot rested on the soil of Virginia, when, on the twenty-fifth, the declaration of independence was read in Williamsburg at the capitol, the court-house, and the palace, or when it was proclaimed by the sheriff of each county at the door of his court-house on the first ensuing court-day. In Rhode Island, it was announced successively at Newport, East Greenwich, and Providence, where it called forth loud huzzas for "free trade with all the world, American manufactures, and the diffusion of liberty o'er and o'er the globe." The thriving city of Baltimore was illuminated for joy. At Ticonderoga, the soldiers under Saint Clair shouted with rapture: "Now we are a free people, and have a name among the states of the world." In Massachusetts, the great state-paper was published from the pulpit on a Lord's day by each minister to his congregation, and was entered at length on the records of the towns. The assembly of South Carolina, while they deplored "the unavoidable necessity" of independence, accepted its declaration "with unspeakable pleasure."

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Independence had sprung from the instructions of the people; it was now accepted and confirmed as their own work in cities and villages, in town-meetings and legislatures, in the camp and the training-field. The civilized world had the deepest interest in the result; for it involved the reform of the British parliament, the emancipation of Ireland, the disinthralment of the people of France, the awakening of the nations of Europe. Even Hungary stretched forward to hear from the distance the gladsome sound; and Italians recalled their days of unity and might. Thirteen states had risen up, free from foreign influence, to create their own civil institutions, and join together as one. The report went out among all nations, so that the effort, whatever might follow, could never fade away from the memory of the human race.

The arrow had sped towards its mark, when Lord Howe entered upon the scene with his commission for restoring peace. As a naval officer, he added great experience and nautical skill to a wholesome severity of discipline and steady, cool, phlegmatic courage. Naturally taciturn, his manner of expression was confused. His profile was like that of his grandfather, George the First; his complexion was very dark; his grim features had no stamp of superiority; but his face wore an expression of serene and passive fortitude. He was as unsuspicious as he was brave. Of an ingenuous disposition and a good heart, he sincerely designed to act the part of a mediator, not of a destroyer, and indulged in visions of riding about the country, conversing with its principal inhabitants, and restoring the king's

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authority by methods of moderation and concession. At Halifax he told Admiral Arbuthnot "that peace would be made within ten days after his arrival." His fond wish to heal the breach led him to misconceive the extent of his commission. He thought himself possessed of large powers, and with a simplicity which speaks for his sincerity, he did not discover how completely they were circumscribed or annulled. He could pardon individuals on their return to the king's protection, and could grant an amnesty to insurgent communities which should lay down their arms and dissolve all their governments. The only further privilege which his long altercation wrung from the ministry was a vague permission to converse with private men on their alleged grievances, and to report their opinions; but he could not judge of their complaints or promise that they would be heeded; and he was strictly forbidden to treat with the continental congress or any provincial congress, or any civil or military officer holding their commission.

It was the evening of the twelfth when Lord Howe reached Staten Island. His brother, who had impatiently expected him, was of the opinion "that a numerous body of the inhabitants of New York, the Jerseys, and Connecticut only waited for opportunities to prove their loyalty; but that peace could not be restored until the rebel army should be defeated." Lord Howe had confidence in himself, and did not lower his hopes. He had signed, while at sea, a declaration which had been sketched by Wedderburn in England, and which was the counterpart of his instructions. It announced his authority sep-

arately, not less than jointly with his brother, to grant free and general pardons; and it promised "due consideration to all persons who should aid in restoring tranquillity." On this weak profession, which virtually admitted that the king and parliament had no boon to offer except forgiveness on submission, and no chance of obtaining advocates for peace but by methods of corruption, he relied for the swift and bloodless success of his mission.

The person with whom he most wished to hold intercourse was the American commander-in-chief. On the second day after his arrival, he sent a white flag up the harbor, with a copy of his declaration, enclosed in a letter addressed to Washington as a private man. But Washington, apart from his office, could not enter into a correspondence with the king's commissioner; and Reed and Webb, who went to meet the messenger, following their instructions, declined to receive the communication. Lord Howe was grieved at the rebuff; in the judgment of congress, Washington "acted with a dignity becoming his station."

On the same day, Lord Howe sent a flag across the Kill to Amboy, with copies of his declaration in circular letters to all the old royal governors south of New York, although nearly every one of those governors was a fugitive. The papers fell into the hands of Mercer, and through Washington were transmitted to congress.

Lord Howe tried also to advance his purpose by forwarding conciliatory letters written in England to persons in America. Those which he had concerted with De Berdt, son of the old agent of

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Massachusetts, to Kinsey of New Jersey, and to Reed of Pennsylvania, were public in their nature, though private in their form, and were promptly referred by their recipients to congress. In them he suffered it to be said, that he had for two months delayed sailing from England, in order to obtain an enlargement of his instructions; that he was disposed to treat; that he had power to compromise and adjust, and desired a parley with Americans on the footing of friends. Reed, who was already thoroughly sick of the contest, thought "the overture ought not to be rejected;" and through Robert Morris he offered most cheerfully to take such a part "on the occasion as his situation and abilities would admit."

The gloom that hung over the country was deepening its shades; one British corps after another was arriving; the fleet commanded the waters of New York, and two ships of war had, on the twelfth, passed the American batteries with very little injury, ascending the Hudson river for the encouragement of the disaffected, and totally cutting off all intercourse by water between Washington's camp and Albany. Greene had once before warned John Adams of the hopelessness of the contest; and again on the fourteenth he wrote: "I still think you are playing a desperate game." But as the claim of absolute power by parliament to tax the colonies and to change their charters was not renounced, congress showed no wavering. "Lord Howe," reasoned Samuel Adams, "comes with terms disgraceful to human nature. If he is a good friend to man, as letters import, I am mistaken if he is not

weak and ductile. He has always voted, as I am told, in favor of the king's measures in parliament, and at the same time professed himself a friend to the liberties of America. He seems to me, either never to have had any good principles at all, or not to have presence of mind openly and uniformly to avow them." Robert Morris surrendered his interest and inclination to the ruling principle of his public life, resolved as a good citizen to follow if he could not lead, and thenceforward supported independence. As the only answer to Lord Howe, congress, on the nineteenth, resolved that its own great state-paper of the fourth of July should be fairly engrossed on parchment as "the unanimous declaration of the thirteen UNITED STATES OF AMERICA," and signed by every one of its members. In justification of this act, it directed Lord Howe's circular letter and declaration to be published, "that the good people of these United States may be informed of what nature are the commissioners, and what the terms with the expectation of which the insidious court of Britain has endeavored to amuse and disarm them; and that the few who still remain suspended by a hope, founded either in the justice or moderation of their late king, may now, at length, be convinced that the valor alone of their country is to save its liberties."

Before this decision could reach Washington, he had made his own opinions known. In reply to the resolution of congress on the massacre of the prisoners who had capitulated at the Cedars, General Howe had, on the sixteenth, sent him a note, addressed to him without any recognition of his official

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station. The letter was for that reason not received; and on the twentieth a second letter was rejected, because its address was ambiguous; but for the sake of coming to some agreement respecting prisoners, Paterson, its bearer, the British adjutant-general, was allowed to enter the American camp. After pledging the word of the British commander to grant to prisoners the rights of humanity and to punish the officers who had broken their parole, he asked to have his visit accepted as the first advance from the commissioners for restoring peace, and asserted that they had great powers. "From what appears," rejoined Washington, "they have power only to grant pardons; having committed no fault, we need no pardon; we are only defending what we deem to be our indisputable rights."

To Franklin, as to a worthy friend, Lord Howe had sent assurances that to promote lasting peace and union formed "the great objects of his ambition." Franklin, after consulting congress, answered: "By a peace to be entered into between Britain and America, as distinct states, your nation might recover the greatest part of our growing commerce, with that additional strength to be derived from a friendship with us; but I know too well her abounding pride and deficient wisdom. Her fondness for conquest, her lust of dominion, and her thirst for a gainful monopoly, will join to hide her true interests from her eyes, and continually goad her on in ruinous distant expeditions, destructive both of lives and treasure.

"I have not the vanity, my lord, to think of intimidating by thus predicting the effects of this

war; for I know it will in England have the fate of all my former predictions, not to be believed till the event shall verify it.

"Long did I endeavor, with unfeigned and unwearied zeal, to preserve the British empire from breaking. Your lordship may remember the tears of joy that wet my cheek when, in London, you once gave me expectations that a reconciliation might soon take place. I had the misfortune to find those expectations disappointed, and to be treated as the cause of the mischief I was laboring to prevent. My consolation under that groundless and malevolent treatment was, that I retained the friendship of many of the wise and good men in that country, and, among the rest, some share in the regard of Lord Howe.

"The well-founded esteem and affection which I shall always have for your lordship makes it painful to me to see you engaged in conducting a war, the great ground of which, as expressed in your letter, is 'the necessity of preventing the American trade from passing into foreign channels.' Retaining a trade is not an object for which men may justly spill each other's blood; the true means of securing commerce is the goodness and cheapness of commodities; and the profit of no trade can ever be equal to the expense of compelling it by fleets and armies.

"This war against us is both unjust and unwise: posterity will condemn to infamy those who advised it; and even success will not save from some degree of dishonor those who voluntarily engaged to conduct it. I know your great motive in coming hither was the hope of being instrumental in a conciliation;

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and I believe that when you find that impossible on any terms given you to propose, you will relinquish so odious a command."

On the thirtieth, Lord Howe received this reply, which he well understood as expressing the opinion of congress. His countenance grew more sombre; tears glistened in his eyes; he looked within himself, and was conscious of aiming at a reconciliation on terms of honor and advantage to both parties. The truth began to dawn upon him, that he had been deceived into accepting a commission which gave him no power but to offer pardon, to hear complaints, and to confirm the right of petition. Sorrow entered his heart. Why should he, the greatest admiral of his day, come against a distant people whose few ships could not employ his genius; whose hereditary good-will he longed not to forfeit; whose English privileges he respected; whose acknowledged wrongs he desired to see redressed? A manly and generous nature found itself in a false position: his honor as an officer was plighted to his king, and he must promote the subjugation of America by arms.

CHAPTER II.

CONFEDERATION; SIGNING THE DECLARATION.

JULY—AUGUST 2, 1776.

THE interview of the British adjutant-general with Washington led to one humane result. After the retreat from Concord in 1775, Gage consented to an exchange of prisoners; but of those who fell into his hands at Bunker Hill, he wrote in August, under a different influence, that "their lives were destined to the cord." In December, Washington insinuated to the successor of Gage a wish for a cartel; but Howe evaded the proposal, awaiting the king's orders. From Quebec Carleton generously dismissed his captives on their parole. Meantime the desire to release the British officers who had been taken by "the rebels," and still more a consideration of the difficulties which might occur in the case of foreign troops serving in America, led the British minister, in February, 1776, to instruct General Howe: "It cannot be that you should enter into any treaty or agreement with rebels for

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a regular cartel for exchange of prisoners, yet I doubt not but your own discretion will suggest to you the means of effecting such exchange without the king's dignity and honor being committed, or his majesty's name being used in any negotiation for that purpose." The secretary's letter was received in May at Halifax, and was followed by the proposal in July to give up a citizen carried away from Boston for a British subject held in arrest. Congress, on the twenty-second, voted its approval; and further empowered its commanders in each department to exchange prisoners of war: officer for officer of equal rank, soldier for soldier, sailor for sailor, and citizen for citizen. In this arrangement Howe readily concurred; the choice of prisoners was to be made by the respective commanders for their own officers and men. On the part of the United States the system was a public act of the highest authority; on that of the British government it had no more enduring sanction than the good-will of the British general, and did not even bind his successor. Interrupted by frequent altercations, it nevertheless prevailed during the war, and extended to captive privateers when they escaped impressment.

Union was the need of America. The draught of confederation which, on the twelfth of July, was brought into congress, was in the handwriting of Dickinson, and had been begun before the end of June. The Farmer of Pennsylvania, like the statue of the fabled child of the morning twilight, welcomed the coming sun with music, but stood silent and motionless during the heat of the day. He

was not to be found when the militia regiment of which he was colonel began its march. He followed it on horseback as far as Trenton; but his nerves were so much shattered that, after resting there a day, he finished his journey to Elizabethtown in a carriage. He had been but ten days in camp, when at the new election the Pennsylvania convention superseded him as a delegate to congress. Stung to the quick by the slight, he professed to speak of it with rapture; and then he would liken the patriots who had opposed him to tory traitors. He called on virtue to be his comforter, and pictured to his mind the beauty of dying for the defence and happiness of his unkind countrymen. But with all his parade of exposing his life to every hazard, and lodging within half a mile of hostile troops, he never took part in hard fighting, and making an excuse about rank, he left the army in the moment of his country's greatest danger.

The main hindrance to a strong confederation was the innate unwillingness of the separate states to give up power, combined with a jealousy of establishing it in other hands than their own. The public mind is of slow growth, and had not yet attained the wisdom necessary for regenerating its government. The Dutch and Swiss confederacies were the only models known to the people with detail and precision. There was not in congress one single statesman who fully comprehended the want of the country; but Dickinson, from his timidity, his nice refining, his want of mastery over his erudition, his hostility to independence, his in-

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consolable grief at the overthrow of the proprietary government in Pennsylvania by the action of congress, was peculiarly unfit to be the architect of a permanent national constitution; and in his zeal to guard against the future predominance of congress, he exaggerated the imperfections, which had their deep root in the history of the states.

For more than a century, and even from the foundation of the settlements, almost every English administration had studied to acquire the disposal of their military resources and their revenues, while every American legislature had had for its constant object the repression of the encroachments of the crown. This antagonism, developed and confirmed by successive generations, had become the quick instinct and fixed habit of the people. All their patriotic traditions clustered round the story of their untiring resistance to the establishment of an overruling central force, and strengthened the conviction of the inherent deadly hostility of such a force to their vital principle of self-direction. Each one of the colonies connected its idea of freedom and safety with the exclusive privilege of managing its internal policy; and they delighted to keep fresh the proud memories of repeated victories won over the persistent attempt of the agents of a supreme power, which was external to themselves, to impose restrictions on their domestic autonomy.

This jealousy of control from without concentred on the subject of taxation. In raising a revenue the colonies acknowledged in the king no function whatever except that of addressing to

them severally a requisition; it was the great principle of their politics that to them alone belonged the discretion to grant and collect aids by their own separate acts. The confederacy now stood in the place of the crown as the central authority, and to that federal union the colonies, by general concurrence, proposed to confide only the same limited right. It was laid down as a fundamental article, that "the United States assembled shall never impose or levy any tax or duties," except for postage; and this restriction, such was the force of habit, was accepted without remark. No one explained the distinction between a sovereignty wielded by an hereditary king in another hemisphere, and a superior power which should be the chosen expression of the will and reason of the nation. The country had broken with the past in declaring independence; it went back into bondage to the past in forming its first constitution.

The withholding from the United States of the direct authority to raise a revenue was not peculiar to Dickinson; in all other respects his plan was less efficient than that proposed the year before. Experience had shown that colonies often failed to be represented: Franklin's plan constituted one half of the members of congress a quorum, and left the decision of every question to the majority of those who might be present; Dickinson knew only "the United States assembled;" counted every one of them which might chance to be unrepresented as a vote in the negative; required that not even a trivial matter should be determined except by the concurrence of seven colonies; and that meas-

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ures of primary importance should await the assent of nine, that is of two thirds of the whole. If eight states only were present, no question relating to defence, peace, war, finances, army, or navy could be transacted even by a unanimous vote; nor could a matter of smaller moment be settled by a majority of six to two. By common consent congress was the channel through which amendments to the constitution were to be proposed: Franklin accepted all amendments that should be approved by a majority of the state assemblies; Dickinson permitted no change but by the consent of the legislature of every state. No executive apparatus distinct from the general congress could be detected in the system. Judicial power over questions arising between the states was provided for; and courts might be established to exercise primary jurisdiction over crimes committed on the high seas, with appellate jurisdiction over captures; but there was not even a rudimentary organ from which a court for executing the ordinances of the confederacy could be developed; and as a consequence there existed no real legislative authority. The congress could transact specific business, but not enact general laws; could publish a journal, but not a book of statutes.

Even this anarchical scheme, which was but the reflection of the long-cherished repugnance to central power, a reminiscence of the war-cries of former times, not a creation for the coming age, alarmed Edward Rutledge, who served with industry on the committee with Dickinson. He saw danger in the very thought of an indissoluble league of friendship between the states for their general welfare;

saying privately, but deliberately: "If the plan now proposed should be adopted, nothing less than ruin to some colonies will be the consequence. The idea of destroying all provincial distinctions, and making everything of the most minute kind bend to what they call the good of the whole, is in other terms to say that these colonies must be subject to the government of the eastern provinces. The force of their arms I hold exceeding cheap, but I confess I dread their overruling influence in council; I dread their low cunning, and those levelling principles which men without character and without fortune in general possess, which are so captivating to the lower class of mankind, and which will occasion such a fluctuation of property as to introduce the greatest disorder. I am resolved to vest the congress with no more power than what is absolutely necessary, and to keep the staff in our own hands; for I am confident, if surrendered into the hands of others, a most pernicious use will be made of it."

While the projected confederation was thus cavilled at with morbid distrust, its details offered questions of difficult solution. Dickinson, assuming population to be the index of wealth, proposed to obtain supplies by requisitions upon each state in proportion to the number of its inhabitants, excepting none but Indians not paying taxes. Chase moved to count only the "white inhabitants;" for "negroes were property, and no more members of the state than cattle." "Call the laboring poor freemen or slaves," said John Adams, "they increase the wealth and exports of the state as much in the one case as in the other; and should, therefore, add equally

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to the quota of its tax." Harrison of Virginia proposed as a compromise, that two slaves should be counted as one freeman. "To exempt slaves from taxation," said Wilson, "will be the greatest encouragement to slave keeping and the importation of slaves, on which it is our duty to lay every discouragement. Slaves increase profits, which the southern states take to themselves; they also increase the burden of defence, which must fall so much the more heavily on the northern. Slaves prevent freemen from cultivating a country. Dismiss your slaves, and freemen will take their places." "Freemen," said young Lynch of South Carolina, "have neither the ability nor the inclination to do the work that the negroes do. Our slaves are our property; if that is debated, there is an end of confederation. Being our property, why should they be taxed more than sheep?" "There is a difference," said Franklin; "sheep will never make insurrections." Witherspoon thought the value of lands and houses was the true barometer of the wealth of a people, and the criterion for taxation. Edward Rutledge objected to the rule of numbers because it included slaves, and because it exempted the wealth to be acquired by the eastern states as carriers for the southern. Hooper of North Carolina cited his own state as a striking exception to the rule that the riches of a country are in proportion to its numbers; and commenting on the unprofitableness of slave labor, he expressed the wish to see slavery pass away. The amendment of Chase was rejected by a purely geographical vote of all the states north of Mason and Dixon's line

against all those south of it, except that Georgia was divided. The confederation could not of itself levy taxes, and no rule for apportioning requisitions promised harmony.

A second article which divided the states related to the distribution of power in the general congress. Delaware from the first bound her delegates to insist that, "in declaring questions, each colony shall have one vote;" and that was the rule adopted by Dickinson. Chase saw the extreme danger of a hopeless conflict, and proposed as a compromise, that in votes relating to money the voice of each state should be proportioned to the number of its inhabitants. Franklin insisted that they should be so proportioned in all cases; that it was unreasonable to set out with an unequal representation; that a confederation on the iniquitous principle of allowing to the smaller states an equal vote without their bearing equal burdens could not last long. "All agree," replied Witherspoon, "that there must and shall be a confederation for this war; in the enlightened state of men's minds, I hope for a lasting one. Our greatest danger is of disunion among ourselves. Nothing will come before congress but what respects colonies and not individuals. Every colony is a distinct person; and if an equal vote be refused, the smaller states will be vassals to the larger." "We must confederate," said Clark of New Jersey, "or apply for pardons." "We should settle some plan of representation," said Wilson. John Adams agreed with Franklin: "We represent the people; and in some states they are many, in others they are few; the vote should be proportioned to

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numbers. The question is not whether the states are now independent individuals, making a bargain together, but what we ought to be when the bargain is made. The confederacy is to make us one individual only; to form us, like separate parcels of metal, into one common mass. We shall no longer retain our separate individuality, but become a single individual as to all questions submitted to the confederacy; therefore all those reasons which prove the justice and expediency of a proportional representation in other assemblies hold good here. An equal vote will endanger the larger states; while they, from their difference of products, of interest, and of manners, can never combine for the oppression of the smaller." Rush spoke on the same side: "We represent the people; we are a nation; to vote by states will keep up colonial distinctions; and we shall be loath to admit new colonies into the confederation. The voting by the number of free inhabitants will have the excellent effect of inducing the colonies to discourage slavery. If we vote by numbers, liberty will always be safe; the larger colonies are so providentially divided in situation as to render every fear of their combining visionary. The more a man aims at serving America, the more he serves his colony: I am not pleading the cause of Pennsylvania; I consider myself a citizen of America." Hopkins of Rhode Island spoke for the smaller colonies: "The German body votes by states; so does the Helvetic; so does the Belgic. Virginia, Pennsylvania, Massachusetts, and Maryland contain more than half the people; it cannot be expected that nine colonies will give

way to four. The safety of the whole depends on the distinction of the colonies." "The vote," said Sherman of Connecticut, "should be taken two ways: call the colonies, and call the individuals, and have a majority of both." This idea he probably derived from Jefferson, who enforced in private as the means to save the union, that "any proposition might be negatived by the representatives of a majority of the people, or of a majority of the colonies." Here is the thought out of which the great compromise of our constitution was evolved.

Aside from the permanent question of taxation and representation, what most stood in the way of an early act of union was the conflict of claims to the ungranted lands, which during the connection with Great Britain had belonged to the king. Reason and equity seemed to dictate that they should inure to the common benefit of all the states which joined to wrest them from the crown. The complete transfer of ownership from the dethroned authority to the general congress would, however, have been at variance with the fixed and undisputed idea, that each state should have the exclusive control of its internal policy. It was therefore not questioned that each member of the confederacy had acquired the sole right to the public domain within its acknowledged limits; but it was proposed to vindicate to the United States the great territory northwest of the Ohio, by investing congress "with the exclusive power of limiting the bounds of those colonies which were said to extend to the South sea, and ascertaining the bounds of any other that appeared to be inde-

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terminate." Maryland, which had originally been formed out of Virginia, retained a grudge against the Old Dominion for its exorbitant appetite for western territory; and Chase spoke strongly for the grant of power to limit the states. "Gentlemen shall not pare away Virginia," said Harrison, taking fire at the interference with its boundaries as defined by the second charter of James the First. Stone of Maryland came to the rescue of his colleague: "The small colonies will have no safety in the right to happiness, if the great colonies are not limited. All the colonies defend the lands against the king of Great Britain, and at the expense of all. Does Virginia wish to establish quit-rents? Shall she sell the lands for her own emolument? I do not mean that the United States shall sell them, to get money by them; we shall grant them in small quantities, without quit-rent, or tribute, or purchase-money." Jefferson spoke against the proposed power as too great and vague; and protested against the competency of congress to decide upon the right of Virginia; but he expressed the confident hope, "that the colonies would limit themselves." Unless they would do so, Wilson claimed for Pennsylvania the right to say she would not confederate.

The dispute developed germs of delay; but all divisions might at that time have been reconciled, had the general scheme of confederation in itself been attractive; but its form was so complicate, and its type so low, that it could not live. At the outset the misshapen organism, the worthless fruit of learning and refining and prejudice, struck

with paralysis the zeal for creating a government. Had such a scheme been at once adopted, the war could not have been carried on; but by a secret instinct, congress soon grew weary of considering it, and postponed it, leaving the revolution during its years of crisis to be conducted by the more efficient existing union, constituted by the instructions under which the delegates of the several colonies were assembled, held together by the necessities of war, and able to show energy of will by its acknowledgment of the right of the majority to decide a question.

The country had, therefore, to fight the battles of independence under the simple organization by which it had been declared; but preconceived notions and the never-sleeping dread of the absorption of the states interfered with the vigorous prosecution of the war. Not a single soldier had been enlisted directly by the United States; and the fear of a standing army as a deadly foe to the liberties of the people had thus far limited the enlistment of citizens to short terms; so that on the approach of danger the national defence was committed to the ebb and flow of the militia of the separate states. Thus good discipline was impossible, and service insecure.

In the urgency of danger Washington made a requisition on Connecticut for foot-soldiers; unable to despatch infantry, Trumbull sent three regiments of light horse, composed chiefly of heads of families and freeholders, mounted on their farm-horses, armed with fowling-pieces, without discipline, or compactness, or uniformity of dress. Their rustic manners were an object of ridicule to officers from the south,

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whom they in return scorned as "butterflies and coxcombs." Washington could not furnish them forage, and had no use for them as cavalry. They consented to mount guard, though with reluctance; but they persistently quoted the laws of Connecticut in support of their peremptory demand of exemption from fatigue duty. Less than ten days in camp wore out their patience; and at their own request they were discharged.

The pride of equality prevailed among the officers. The instructions of congress to Washington were by some interpreted to have made the decision of the council of war paramount to that of the general in command. Every one insisted on his own opinion, and was ready to question the wisdom of those above him. In July, Crown Point was abandoned by the northern army, on the concurrent advice of the general officers, against the protest of Stark and twenty field-officers. Meantime Gates, though holding a command under Washington, purposely neglected to make reports to his superior; and when Washington saw fit to "open the correspondence," and, after consulting his council, "expressed his sorrow at the retreat from Crown Point," Gates resented the interference. He censured the behavior of Washington and his officers as "unprecedented," insisted that he and his council were in "nothing inferior" to "their brethren and compeers" of the council of the commander-in-chief, and transmitted to congress copies of Washington's letter and his answer, with a declaration that he and the generals with him "would not be excelled in zeal or military virtue by any

of the officers, however dignified or distinguished." While Gates so hastily set himself up as the rival of Washington, he was intriguing with New England members of congress to supersede Schuyler, and was impatient at the dilatoriness of his supporters.

Aug. 1. To these petty dissensions Washington opposed his own public spirit. In the general order for the first of August he spoke for union: "Divisions among ourselves most effectually assist our enemies; the provinces are all united to oppose the common enemy, and all distinctions are sunk in the name of an American." 2 On the next day the members of congress, having no army but a transient one, no confederation, no treasury, no supplies of materials of war, signed the declaration of independence, which had been engrossed on parchment. The first, after the President, to write his name was Samuel Adams, to whom the men of that day ascribed "the greatest part in the greatest revolution of the world." The body was somewhat changed from that which voted on the fourth of July. Chase was now present, and by his side Charles Carroll of Carrollton, a new member in whom the long disfranchised Catholics of Maryland saw an emblem of their disinthralment. Wythe and Richard Henry Lee had returned from Richmond; Dickinson and two of his colleagues had made way for Clymer, Rush, and others; Robert Morris, who had been continued as a representative of Pennsylvania, now joining heartily with John Adams and Jefferson and Franklin, put his hand to the instrument, which he henceforward maintained with all the resources

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of his hopeful mind. Mackean was with the army, and did not appear on the roll before 1781. For New York, Philip Livingston and Lewis Morris joined with Francis Lewis and William Floyd.

American independence was the work not of one, or a few, but of all; and was ratified not by congress only, but by the instincts and intuitions of the nation; just as the sunny smile of the ocean comes from every one of its millions of waves. The courageous and unselfish enthusiasm of the people was an inexhaustible storehouse of means for supporting its life; the boundlessness of the country formed its natural defence; and the self-asserting individuality of every state and of every citizen, though it forbade the organization of an efficient government, with executive unity, imposed on Britain the impossible task of conquering them one by one.

CHAPTER III.

THE DECLARATION OF INDEPENDENCE IN EUROPE.

JULY—OCTOBER, 1776.

SINCE America must wage a war for existence as a nation without a compacted union, or an efficient government, there was the more need of foreign alliances. The maritime powers, which had been pursued by England with overbearing pride till they had been led to look upon her as their natural foe, did not wait to be entreated. On the seventh of July, when there was danger of a rupture between Spain and Portugal, Vergennes read to the king in council his advice: 7

"The catholic king must not act precipitately; for a war by land would make us lose sight of the great object of weakening the only enemy whom France can and ought to distrust. The spirit and the letter of the alliance with Austria promise her influence to hold back Russia from falling upon the king of Sweden, or listening to English overtures. In Holland it will be proper

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to reanimate the ashes of the too much neglected republican party, and to propitiate favor for neutrality as a source of gain. The Americans must be notified of the consequences which the actual state of things presages, if they will but await its development. As the English are armed in North America, we cannot leave our colonies destitute of all means of resistance. The Isles of France and Bourbon demand the same foresight. The English, under pretence of relieving their squadron in the Indies, will double its force; and such is their strength in the peninsula of Hindostan, they might easily drive us from Pondicherry and our colonies if we do not prepare for defence. Time is precious; every moment must be turned to account."

The well-considered policy of the French minister was traversed by the arrival of Silas Deane. His instructions had been drawn by Franklin, who, from habitual circumspection, never needed to be suspicious. They directed Deane to obtain information of what was going forward in England, through his old acquaintance, one Edward Bancroft, a native of Connecticut, who, as an adventurer in quest of fortune, had migrated back to the mother-country, and had there gained some repute as a physician and a naturalist. In 1769 he had published an able and spirited pamphlet, vindicating the legislative claims of the colonies; and, under some supervision from Franklin, he had habitually written for the "Monthly Review" notices of publications relating to America. It was his avowed belief that "every part of animated nature was created for its own happiness only;" and he accepted the post of

a paid American spy, to prepare himself for the more lucrative office of a double spy for the British ministers. CHAP. III. 1776.

The French government was deliberating on the methods of encouraging commerce with the United Colonies. Replying to an inquiry of the comptroller-general, Vergennes, on the tenth, advised to admit their ships and cargoes without exacting duties or applying the restrictive laws on their entry or departure; so that France might become the emporium of their commerce with other European nations. "Take every precaution," so he admonished his colleague, "that our motives, our intentions, and, as far as possible, our proceedings, may be hidden from the English." July 10.

The attempt at concealment was vain. On the eleventh, Vergennes admitted Deane to an interview. Reserving for the king's consideration the question of recognising the independence and protecting the trade of the United Colonies, he listened with great satisfaction to the evidences of their ability to hold out against British arms to the end of the year, and gave it as his private opinion that, in case they should reject the sovereignty of his Britannic majesty, they might count on the unanimous good wishes of the government and people of France, whose interest it would not be to see them reduced by force. Received again on the twentieth, Deane made a formal request for two hundred light brass field-pieces, and arms and clothing for twenty-five thousand men. The arms were promised; Du Coudray, a distinguished engineer, who had given lessons to Count d'Artois, and 11. 20.

CHAP. III. 1776. July. who wished to serve in America, was employed to select from the public arsenals cannon of the old pattern that could be spared; and Beaumarchais, whom Vergennes authoritatively recommended, offered merchandise on credit to the value of three millions of livres. The minister did not suspect that congress had committed its affairs to a man who was wanting in discernment and integrity. But Deane called over Bancroft as if he had been a colleague, showed him his letters of credence and his instructions, took him as a companion in his journeys to Versailles, and repeated to him exactly all that passed in the interviews with the minister.

August. Bancroft returned to England, and his narrative for the British ministry is a full record of the first official intercourse between France and the United States. The knowledge thus obtained enabled the British ambassador to embarrass the shipment of supplies by timely remonstrances; for the French cabinet was unwilling to appear openly as the complice of the insurgents.

The arrival of the declaration of independence gave more earnestness to the advice of Vergennes.

31. On the last day of August he read to the king, in committee with Maurepas, Sartine, Saint-Germain, and Clugny, considerations on the part which France should now take towards England: "Ruin hangs over a state which, trusting to the good faith of its rivals, neglects precautions for safety, and disdains the opportunity of rendering its habitual foe powerless to injure. England is without question and by inheritance the enemy of France. If to-day she veils her ancient jealousy under the

specious exterior of friendship, her desires and her principles are unchanged. She fears lest France should profit by the truly singular opportunity to take revenge for her frequent injustice, her outrages, and her perfidies; it would be a great mistake to flatter ourselves that, under a sense of the beneficent moderation of the king, she will be disposed in more quiet times to a corresponding conduct. For this there is no guaranty in her intense nationality of character, to which the feeblest gleam of prosperity in France is an unsupportable grief. She regards our measures for restoring our navy as an attack on the exclusive empire which she arrogates over the seas, and her animosity is restrained by nothing but a sense of danger or a want of power. It is her constant maxim to make war upon us, as soon as she sees us ready to assume our proper place as a maritime power. Left to herself, she will fall upon our marine, taking the same advantages as in 1755. What reparation have we thus far obtained for the affronts that have been put upon us in India, and the habitual violation of our rights at Newfoundland under the clear and precise stipulations of a solemn treaty? Moreover, the English cruisers, near the mouths of our harbors in America, have committed violent acts in contempt of the flag of the king. Do the English treat Spain with more respect than France? In the bosom of peace they labor to form establishments in the centre of her possessions, and excite savage nations to rise against her. In the south of America, Portugal openly attacks Spain; England justifies her ally,

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whom she values more than a rich province; and nourishes the germ of this quarrel, in order to direct its development as may suit her ambition and convenience. England has in America a numerous army and fleet, equipped for prompt action; if the Americans baffle her efforts, will not the chiefs of the ministry seek compensation at the expense of France or Spain? Her conduct makes it plain even to demonstration, that we can count little upon her sincerity and rectitude; still it is not for me to draw the conclusion, that with a power of so doubtful fidelity war is preferable to a precarious peace, which can be no more than a truce of uncertain duration. The object of these reflections is, not to anticipate the resolution which can come only from the high wisdom of the supreme authority, but only to present the motives which may give it light.

"The advantages of a war with England in the present conjuncture prevail so eminently over its inconveniences, that there is no room for a comparison. What better moment could France seize, to efface the shame of the odious surprise of 1755, and all the ensuing disasters, than this, when England, engaged in a civil war a thousand leagues off, has scattered the forces necessary for her internal defence? Her sailors are in America, not in ships of war only, but in more than four hundred transports. Now that the United States have declared their independence, there is no chance of conciliation unless supernatural events should force them to bend under the yoke, or the English to recognise their independence. While

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the war continues between the insurgents and the English, the American sailors and soldiers, who in the last war contributed to make those enormous conquests of which France felt so keenly the humiliation, will be employed against the English, and indirectly for France.

"The war will form between France and North America a connection which will not grow up and vanish with the need of the moment. No interest can divide the two nations. Commerce will form between them a very durable, if not an eternal, chain; vivifying industry, it will bring into our harbors the commodities which America formerly poured into those of England, with a double benefit, for the augmentation of our national labor lessens that of a rival.

"Whether war against England would involve a war on the continent deserves to be discussed. The only three powers whom England could take into her pay are Austria, Prussia, and Russia. The last of these will not come to attack France and Spain with her armies; should she send ships of war, it would only make a noise in the newspapers; if she should attempt a diversion by a war on Sweden, France must at any rate have war with England, for England would never suffer a French fleet to prescribe laws in the Baltic. The alliance between France and Austria, and the unlimited love of the empress queen for peace, guarantee her neutrality. The mutual distrust of the courts of Vienna and Berlin will keep them both from mixing in a war between the house of Bourbon and England. The republic of Holland, having,

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beyond all other powers, reason to complain of the tyranny of the English in all parts of the globe, cannot fear their humiliation, and would regard the war on the part of France as one of conservation rather than of conquest. As it is the dearest desire of the king, in conformity to his principles, to establish the glory of his reign on justice and peace, it is certain that if his majesty, seizing a unique occasion which the ages will perhaps never reproduce, should succeed in striking England a blow sufficient to lower her pride and to confine her pretensions within just limits, he will for many years be master of peace, and without displaying his power, except to make order and peace everywhere reign, he will have the precious glory of becoming the benefactor, not of his people only, but of all the nations.

"The fidelity and the oath of a zealous minister oblige him to explain frankly the advantages and the inconveniences of whatever policy circumstances may recommend; this is the object of the present memoir; this duty fulfilled, nothing remains but to await in respectful silence the command which may please the wisdom of the king.

"Should his majesty, on the other hand, prefer a doubtful and ill-assured peace to a war which necessity and reason can justify, the defence of our possessions will exact almost as great an expenditure as war, without any of the alleviations and resources which war authorizes. Even could we be passive spectators of the revolution in North America, can we look unmoved at that which is preparing in Hindostan, and which will be as fatal

to us as that in America to England? The revolution in Hindostan, once begun, will console England for her losses, by increasing her means and her riches tenfold. This we are still able to prevent." 1776. August 31.

The words of Vergennes were sharp and penetrating; now that Turgot and Malesherbes were removed, he had no antagonist in the cabinet; his comprehensive policy embraced all parts of the globe; his analysis of Europe was exact and just; his deference to the king of two-and-twenty removed every appearance of presumption; but the young prince whose decision was invoked was too weak to lead in affairs of magnitude; his sluggish disposition deadened every impulse by inertness; his devotion to the principle of monarchical power made him shrink from revolution; his intuitions, dim as they were, repelled all sympathy with insurgent republicans; his severe probity struggled against aggression on England; with the utmost firmness of will of which his feeble nature was capable, he was resolved that the peace of France should not be broken in his day. But deciding firmly against war, he shunned the labor of further discussion; and indolently allowed his ministers to aid the Americans, according to the precedents set by England in Corsica.

Meantime, Beaumarchais, with the connivance of Vergennes, used delicate flattery to awaken in the cold breast of the temporizing Maurepas a passion for glory. The profligate Count d'Artois, younger brother of the king, and the prodigal Duke de Chartres, better known as the Duke of Orleans, Sept.

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innovators in manners, throwing aside the stiff etiquette and rich dress of former days for the English fashion of plain attire, daring riders and charioteers, eager patrons of the race-course, which was still a novelty in France, gave their voices for war with all the pride and levity of youth. The Count de Broglie was an early partisan of the Americans. A large part of the nobility of France panted for an opportunity to tame the haughtiness of England, which, as they said to one another, after having crowned itself with laurels, and grown rich by conquests, and mastered all the seas, and insulted every nation, now turned its insatiable pride against its own colonies. First among these was the Marquis de Lafayette, then just nineteen, master of two hundred thousand livres a year, and happy in a wife who had the spirit to approve his enthusiasm. He whispered his purpose of joining the Americans to two young friends, the Count de Ségur and the Viscount de Noailles, who wished, though in vain, to be his companions. At first the Count de Broglie opposed his project, saying: "I have seen your uncle die in the wars of Italy; I was present when your father fell at the battle of Minden; and I will not be accessory to the ruin of the only remaining branch of the family." But when it appeared that the young man's heart was enrolled, and that he took thought of nothing but how to join the flag of his choice, the count respected his unalterable resolution. Beside disinterested and chivalrous volunteers, a crowd of selfish adventurers, officers who had been dropped from the French service under the reforms of Saint-

Germain, and even Swiss and Germans, thronged Deane's apartments in quest of employment, and by large promises, sturdy importunity, or real or pretended recommendations from great men, wrung from him promiscuous engagements for high rank in the American army. CHAP. III. 1776. Sept.

In Spain, the interest in America was confined to the court. Like Louis the Sixteenth, the catholic king was averse to hostile measures; his chief minister wished not to raise up a republic on the western continent, but only to let England worry and exhaust herself by a long civil war. American ships were received in Spanish harbors, and every remonstrance was met by the plea that they hoisted English colors, and that their real character could not be known. Even the privateers fitted out at Salem, Cape Ann, and Newburyport hovered off the rock of Lisbon and Cape St. Vincent, or ventured into the Bay of Biscay, sure of not being harmed when they ran into Corunna or Bilbao; but Grimaldi adhered strictly to the principle of wishing no change in the relation of the British colonies to their parent country; being persuaded that nothing could be more alarming to Spain than their independence. Sept.-Oct.

The new attitude of the United States changed the relation of parties in England. The former friends to the rights of Americans as fellow-subjects were not friends to their separate existence; and all parties were summoned, as Englishmen, to unanimity. The virtue of patriotism is more attractive than that of justice; and the minority opposed to the government, dwindling almost to nothing, was

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now to have against them king, lords, and commons, nearly the whole body of the law, the more considerable part of the landed and mercantile interests, and the political weight of the church. The archbishop of Canterbury, in his proclamation for a fast, to be read in all the churches, charged the "rebel" congress with uttering "specious falsehoods;" in a commentary on the declaration of independence, Hutchinson referred its origin to a determined design formed in the interval between the reduction and the cession of Canada; the young Jeremy Bentham, unwarmed by hope, misled by his theories, rejected the case of the insurgents as "founded on the assumption of natural rights, claimed without the slightest evidence for their existence, and supported by vague and declamatory generalities." Yet the reflective judgment of England justifies America with almost perfect accord. The revolution began in the attempt of the British government to add to the monopoly of the commerce of the colonies their systematic taxation by parliament, so that the king might wield with one sovereign will the forces of the whole empire for the extension of its trade and its dominion. On this issue all English statesmen now approve the act of independence. Even in that day, Charles Townshend's policy of taxes in 1767 was condemned by Mansfield and Jenkinson, not less than by Camden and Burke, as "the most absurd measure that could possibly be imagined;" the power of parliament to tax colonies was already given up in the mind of parliament itself, and was soon to be renounced by a formal act.

Blood was first shed in the attempt to enforce the alterations in the charter of Massachusetts. The few English statesmen who took the trouble to understand the nature of the change pronounced it a useless violation of a time-hallowed constitution. But the British parliament has never abdicated the general power over charters; it has, from that day to this, repeatedly exercised the function of granting, revoking, and altering the fundamental law of British colonies; and has interfered in their internal affairs to regulate the franchises of English emigrants; to extend civil privileges to semi-barbarous races; to abolish the slave-trade; and to set free the slave.

The conquest of the United States presented appalling difficulties. The task was no less than to recover by force of arms the vast region which lies between Nova Scotia and Florida; the first campaign had ended in the expulsion of the British from New England; the second had already been marked by the repulse from South Carolina, and by delays. The old system of tactics was out of place; nor could the capacity of the Americans for resistance be determined by any known rule of war; the depth of their passions had not been fathomed: they will long shun an open battle-ground; every thicket will be an ambuscade of partisans; every stone wall a hiding-place for sharp-shooters; every swamp a fortress; the boundless woods an impracticable barrier; the farmer's house a garrison. Wherever the armies go, food and forage and sheep and cattle will disappear before them; a country over which the invaders may

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march in victory will rise up in their rear with life and elasticity. Nothing is harder than to beat down a people who are resolved never to yield; and of all persons the English themselves were the least suited to abridge the liberties of their own colonies.

"Can Britain fail?" asked the poet-laureate of England in his birthday ode. "Every man," said the wise political economist Tucker, "is thoroughly convinced that the colonies will and must become independent some time or other; I entirely agree with Franklin and Adams, to make the separation there is no time like the present." David Hume from his death-bed advised his country to give up the war with America, in which defeat would destroy its credit, and success its liberties. "A tough business, indeed," said Gibbon; "they have passed the Rubicon, and rendered a treaty infinitely more difficult; the thinking friends of government are by no means sanguine." It was known that Lord North had declared his intention to resign if his conciliatory proposition should fail. Lord George Germain, who had been assured by refugees that if the king's troops, in the course of the campaign, would alarm the rebels in their rear from Canada and the Ohio, they would submit by winter to the attack from the side of the sea, was embittered against the admiralty for having delayed the embarkations of troops, and against Carleton for his lenity and slowness. "The more money you spend as a naval power the better," said the British secretary at war to Garnier; "it will all be thrown away." "How so?" retorted Garnier; "is not France

bounded on both seas, from Dunkirk to Antibes?" But if Barrington did not fear France upon the ocean, the colonial policy of England involved him in difficulties affecting his conscience and his character. "I have my own opinions in respect to the disputes in America," said he imploringly to the king; "I am summoned to meetings, where I sometimes think it my duty to declare them openly before twenty or thirty persons; and the next day I am forced either to vote contrary to them, or to vote with an opposition which I abhor." Yet when the king chose that he should remain secretary at war and member of the house of commons, he added: "I shall continue to serve your majesty in both capacities." The prospect of the interference of France excited in George the Third such restless anxiety that he had an interview with every Englishman of distinction who returned from Paris or Versailles; and he was impatient to hear from America that General Howe had struck decisive blows.

CHAPTER IV.

BATTLE OF LONG ISLAND.

August, 1776.

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It was the fixed purpose of Washington "to obey implicitly the orders of congress with a scrupulous exactness;" and he rejected "every idea of interfering with the authority of the state of New York." In obedience to their united wishes, he attempted the defence of New York island. The works for its protection, including the fortifications in Brooklyn, were planned by Lee in concert with a New York committee and a committee from congress. Jay thought it proper to lay Long Island waste, burn New York, and retire to the impregnable Highlands; but as it was the maxim of congress not to give up a foot of territory that could possibly be held, Washington promised "his utmost exertions under every disadvantage;" "the appeal," he said, "may not terminate so happily as I could wish, yet any advantage the enemy may gain, I trust will cost them dear." To protect New York

city he was compelled to hold Kingsbridge, Governor's island, Paulus-hook, and the heights of Brooklyn. For all these posts, divided by water, and some of them fifteen miles apart, he had in the first week of August but ten thousand five hundred and fourteen men fit for duty. Of these, many were often obliged to sleep without cover, exposed to the dews. There was a want of good physicians, medicines, and hospitals; more than three thousand lay sick; their number was increasing; they were to be seen seeking shelter in every barn or stable or shed, and sometimes nestling in thickets and beside fences.

Of the effective men, less than six thousand had had any experience; and none had seen more than one year's service. Some were wholly without arms; not one regiment of infantry was properly equipped. The regiment of artillery, five hundred and eighty-eight in number, including officers, had no skilled gunners or engineers. Knox, its colonel, had been a Boston bookseller. Most of the cannon in the field-works were of iron, old and honey-combed, broken and defective. The constant arrival and departure of militia made good discipline impossible. The government of New Jersey called out one half of its militia, to be relieved at the end of one month by the other half; but the call was little heeded. "We shall never do well until we get a regular army; and this will never be until men are enlisted for a longer duration; and that will never be until we are more generous in our encouragement. Time alone will persuade us to this measure; and in the mean while we shall very indis-

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creetly waste a much greater expense than would be necessary for this purpose, in temporary calls upon the militia, besides risking the loss of many lives and much reputation." So wrote John Adams, the head of the board of war, a man of executive ability, but sometimes misled by his own energy. He rejected the thought of retiring from Long Island, demanded of others zeal and hardihood like his own, inclined to judge an army capable of victory when orders for the supply of men had gone forth, and never duly estimated the resisting force of indifference and inexpertness. While he cultivated confidential relations with Lee and Gates, he never extended the same cordial frankness to Washington, never comprehended his superior capacity for war, and never weighed his difficulties with generous considerateness. Moreover, congress was always ready to assume the conduct of the campaign, and to issue impracticable resolutions. To Gates it intrusted a limited power of filling up vacancies as they occurred in his army; but it refused to grant the same authority to the commander-in-chief, saying: "Future generals may make a bad use of it." The natural modesty of Washington, and his sense of his imperfectness in the science and practice of war, led him to listen with thoughtful attention to the suggestions of others; while his comprehensive vigilance, unwearied close attention, and consummate reflective powers were fast bringing out the qualities of a great commander. Among the major-generals around him, there was not one on whom he could fully rely. As yet the military judgment of Greene

was crude. The brigadiers were untrained, and some of them without aptitude for service. Poor as had been his council at Cambridge, that in New York was worse. The general officers, whose advice his instructions bound him to ask, knew not enough of war to rightly estimate danger; and the timid, and the time-serving who had their eyes on congress, put on the cheap mask of courage by spirited votes.

On the fifth of August, at the darkest moment, Trumbull wrote from Connecticut: "Notwithstanding our enemies are numerous, yet knowing our cause righteous, and trusting Heaven will support us, I do not greatly dread what they can do against us." On the seventh, Washington answered: "To trust altogether in the justice of our cause, without our own utmost exertions, would be tempting Providence;" and he laid bare the weakness of his army. On receiving this letter, Trumbull convened his council of safety. Five regiments from the counties of Connecticut nearest New York had already been sent forward; he called out nine regiments more, and exhorted those not enrolled in any trainband to volunteer: "Be roused and alarmed to stand forth in our just and glorious cause. Join yourselves to some one or other of the companies of the militia now ordered to New York, or form yourselves into distinct companies, and choose captains forthwith. March on: this shall be your warrant. Play the man for God and for the cities of our God: may the Lord of hosts, the God of the armies of Israel, be your leader." At these words, the farmers, though their

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harvest was but half gathered, their meadows half cut, their chance of return in season to sow their grain before winter uncertain, rose instantly in arms, forming nine regiments each of three hundred and fifty men, and, self-equipped, marched to New York, just in time to meet the advance of the British. True, their arms were ill-suited for the day of battle, their habits of life too stiff for military discipline, their term of service too short for becoming soldiers, so that they were rather a rally of the people than a division of an army; but they brought to their country's defence the best will and all that they could offer, and their spirit evinced the existence of a nation.

In like manner, in New York, where two thirds of the men of wealth kept aloof from the struggle, or sided with the enemy, the country people turned out of their harvest-fields with surprising alacrity, leaving their grain to perish for want of the sickle. The body thus suddenly levied in New York, the nine regiments from Connecticut, the Maryland regiment and companies, the regiment of Delawares, and two more battalions of Pennsylvania riflemen, raised the number of men fit for duty under Washington's command to about seventeen thousand; but most of them were fresh from rustic labor, ill-armed or not armed at all, and, from ignorance of life in camp, prone to disease.

In spirited orders that were issued from day to day, the general mixed counsel with animating words. He bade them "remember that liberty, property, life, and honor were all at stake;" that they were fighting for everything that can be

dear to freemen; that Heaven would crown with success so just a cause. To the brave he promised rewards; the coward who should skulk in time of battle, or retreat without orders, he threatened with instant death; and he summoned all to resolve to conquer or die.

To baffle the ministerial plan of separating New England from the Middle states by the junction of the army of Canada with Howe, the command of the Hudson must be maintained. The New York convention dwelt anxiously on this idea; the survey of the river, at a point about two miles and a half below Kingsbridge, was made by Putnam and Mifflin; and Putnam undertook to complete the obstruction of the channel by a scheme of his own. In connection with this object, he was an advocate for building a fort on the height now known as Fort Washington; and he thought the position, if properly fortified, was in itself almost impregnable, without any regard to the heights above the bridge.

Of the batteries by which New York was protected, the most important was the old Fort George on the south point of the island; a barrier crossed Broadway near the Bowling Green; a redoubt was planted near the river, west of Trinity church; another, that took the name of Bunker hill, near the site of the present Centre market. Earthworks were thrown up here and there along the East and Hudson rivers within the settled parts of the town, and at the northern end of the island, on hills overlooking Kingsbridge; but many intermediate points, favorable for landing, were defenceless.

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Two regiments, one of which was Prescott's, were all that could be spared to garrison Governor's island.

The American lines in Brooklyn, including angles, and four redoubts which mounted twenty large and small cannon, ran for a mile and a half from Wallabout bay to the marsh of Gowanus cove; they were defended by ditches and felled trees; the counterscarp and parapet were fraised with sharpened stakes. A fortress of seven guns crowned Brooklyn heights. The entrance into the East river was guarded by a battery of five guns at Red-hook. Six incomplete continental regiments, with two of Long Island militia, constituted all the force with which Greene occupied this great extent of works.

The expected British reënforcements had arrived: the troops with Clinton and Cornwallis on the first, and eleven days later more than twenty-five hundred British troops from England, and more than eighty-six hundred Hessians. Sir Peter Parker had also come, bringing Campbell and Dunmore, who with Tryon and Martin hoped from victory their restoration to their governments. On the fifteenth, the Hessians, who were in excellent health after their long voyage, landed on Staten Island, eager for war. Before a conflict of arms, Lord Howe once more proposed the often-rejected plan of Lord North. To his messenger, Lord Drummond, who had been allowed to leave the country on conditions that he had broken, Washington made no answer but by a rebuke for his want of "that attention to his parole which belongs to the character of a man of strict honor;"

and lest the sight of the flag of truce should lull the army into a fatal security, on the twentieth he announced, "that no offer of peace had been made, that the army might expect an attack as soon as the wind and tide should prove favorable, and that every man should prepare his mind and his arms for action." To congress he on the same day wrote frankly, that it would not be possible to prevent the landing of the British on Long Island; "however," he said, "we shall attempt to harass them as much as possible, which will be all that we can do." Just at this time Greene became ill of a raging fever, and owed his life to rest, change of air, and the unwearied attention of Morgan, his physician. The loss of his service was irreparable; for the works in Brooklyn had been built under his eye, and he was familiar with the environs. His place was, on the twentieth, assigned to Sullivan.

Very heavy rains delayed the movements of the British. About nine on the morning of the twenty-second, the men-of-war moved near the shore in Gravesend bay, to protect the landing of more than fifteen thousand men, chiefly British troops, from Staten Island. The English and the Highlanders, with the artillery, consisting of forty cannon, were the first to disembark; last came Donop's brigade of grenadiers and yagers, in large flat-boats, standing in the clear sun, with their muskets in hand, in line and order of battle. As it was at first reported to Washington that the British intended by a forced march to surprise the lines

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at Brooklyn, he at once reënforced them with six regiments; before sending more, he waited to be certain that the enemy were not making a feint upon Long Island, with the real design to fall directly upon New York. The troops went off in high spirits, and all the army was cheerful; but the inhabitants were struck with terror, and could hardly be persuaded that their houses would not be burnt in case of the retreat of the American army; women and children spread dismay by their shrieks and wailing, and families deserted the city, which they were not to revisit for seven years.

The main body of the British army spread itself out upon the plain which stretches from Gravesend bay towards the east; the country people could offer no resistance; the British camp was thronged by farmers of the neighborhood, wearing badges of loyalty and seeking protection; while the patriots took to flight, driving cattle before them, and burning all kinds of forage. Cornwallis with the reserve, two battalions of infantry and the corps of Germans, advanced to Flatbush. Hand's Pennsylvania riflemen retired before him, burning stacks of wheat and hay on their march; his artillery drove the Americans from their slight barrier within the village to the wooded heights beyond, where in the afternoon they were strengthened by fresh arrivals from the lines.

In the following days, during which Washington divided his time between the two islands, encounters took place between the advanced parties of the two armies; in these the American riflemen,

poor as were their arms, proved their superiority as skirmishers; on the twenty-fourth, Donop was aimed at and narrowly escaped death. August 24.

On that day, Putnam, in right of his rank as second to Washington, took the command on Long Island, but with explicit instructions to guard the passes through the woods; while the New York congress sent independent orders to Woodhull, a provincial brigadier, to drive off the horses, horned cattle, and sheep, and destroy the forage, which would otherwise have fallen into the possession of the enemy.

On the twenty-fifth, two more brigades of Hessians with Von Heister came over to Flatbush, increasing the force of Howe on Long Island to "upwards of twenty thousand" rank and file.[1] It was the most perfect army of that day in the world, for experience, discipline, equipments, and artillery; and was supported by more than four hundred ships and transports in the bay; by ten ships of the line and twenty frigates, besides bomb-ketches, galiots, and other small vessels. Among them were the "Phœnix" and the "Rose," which, after repelling an attack from six American galleys 25.

[1] Howe, in the Observations annexed to his Narrative, p. 45, wrote thus: "I landed upon Long Island with between 15,000 and 16,000 rank and file, having left the remainder of the army for the defence of Staten Island; my whole force at that time consisted of 20,121 rank and file, of which 1677 were sick." It is charitable to suppose that his memory was for the moment confused; on August 27, 1776, his rank and file amounted to 24,247, apart from the royalist force under Brigadier De Lancey. MSS. in my possession from the British state-paper office. Sir George Collier writes that the army with Howe on Long Island "amounted now to upwards of 20,000, besides those who remained on Staten Island." Detail of Services by Sir George Collier in Naval Chronicle, xxxii. 271. Sir George Collier was employed at the time to cover the landing of the troops.

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in Tappan bay, and narrowly escaping destruction by fire-ships, had taken advantage of a strong wind and tide to descend the river and rejoin the fleet. Against this vast armament the Americans on the island, after repeated reënforcements, were no more than eight thousand men, most of whom were volunteers or militia; and they had not the aid of a single platoon of cavalry, nor of one ship of war. The unequal armies were kept apart by the ridge which runs through Long Island to the southwest, and, at the distance of two miles from the American lines, throws out to the north and south a series of hills, as so many buttresses against the bay. Over these very densely wooded heights, which were steep and broken, three obvious routes led from the British encampments to Brooklyn: the one which followed a lane through a gorge south of the present Greenwood cemetery, to a coast-road from the bay to Brooklyn ferry, was guarded by Pennsylvanian musketeers and riflemen under Atlee and Kichline; across the direct road to Brooklyn the regiments of Henshaw of Massachusetts and Johnston of New Jersey lay encamped, at the summit of the ridge on Prospect hill overlooking Flatbush; while a third, the "clove" road, which diverged from the second, and a little further to the east descended into the village of Bedford, was guarded chiefly by Connecticut levies, and infantry from Pennsylvania. Besides these, three miles to the east of Bedford, on a road from the hamlet of Jamaica to Brooklyn, there was a pass which seemed even more easy of defence than the others. The whole number of the Americans sta-

tioned on the coast-road and along the ridge as far as their posts extended was not far from twenty-five hundred; and they were expected by Washington, not so much to prevent the advance of the British, as "to harass and annoy them in their march." 1776. August 25.

On the twenty-sixth, Washington remained on Long Island till the evening. Putnam and Sullivan visited the party that kept guard furthest to the left, and the movements of the enemy plainly disclosed that it was their intention to get into the rear of the Americans by the Jamaica road; yet "Washington's order to secure the Jamaica road was not obeyed." 26.

The plan of attack by General Howe was as elaborate as if he had had to encounter an equal army. A squadron of five ships under Sir Peter Parker was to menace New York, and act with effect against the right flank of the American defences; Grant with two brigades, a regiment of Highlanders, and two companies of New York provincials, was to advance upon the coast-road toward Gowanus; the three German brigades and yagers, stationed half a mile in front of Flatbush, in a line of nearly a mile in length, were to force the direct road to Brooklyn; while, at the evening gun, Howe, and much the larger part of the army, under Clinton, Cornwallis, and Percy, with eighteen field-pieces, leaving their tents and equipage behind, moved from Flatlands across the country through the New Lots, to turn the left of the American outposts.

The American camp which was furthest to the

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left in the woods was alarmed three times during the night; but each time the alarm died away.

At three in the morning of the twenty-seventh, Putnam was told that the picket which guarded the approach to the coast-road had been driven in; and without further inquiry he ordered Stirling, then a brigadier, with two regiments nearest at hand, "to advance beyond the lines and repulse the enemy." The two regiments that were chosen for this desperate service were the large and well-equipped one of Delawares and that of Maryland, composed of the young sons of freeholders and men of property from Baltimore and its neighborhood, though the colonels and lieutenant-colonels of both chanced to be absent on duty in New York city. They were followed by Huntington's regiment of two hundred and fifty men from Connecticut, under the lead of Parsons, a lawyer of that state, who eighteen days before had been raised from the bar to the rank of brigadier. Putnam's rash order, directing Stirling to stop the approach of a detachment which might have been "ten times his number," left him no discretion. The position to which he was sent was dangerous in the extreme. His course was oblique, inclining to the right; and this movement, relinquishing his direct communication with the camp, placed in his rear a marsh extending on both sides of Gowanus creek, which was scarcely fordable even at low tide, and was crossed by a bridge and a causeway that served as a dam for one of two tide-mills; on his left he had no connecting support; in front he had to encounter Grant's division, which outnum-

bered him four to one; and on his right he had the bay, commanded by the fleet of Lord Howe. About where now runs Nineteenth street in Brooklyn, he formed his line along a ridge from the left of the road to woods on a height now enclosed within the cemetery and known as Battle hill. Two field-pieces, all that he had to oppose against ten, were placed on the side of the hill so as to command the road and the only approach for some hundred yards. He himself occupied the right, which was the point of greatest danger; Atlee and Kichline formed his centre; Parsons commanded the left.

Early in the morning Putnam was informed that infantry and cavalry were advancing on the Jamaica road. He gave Washington no notice of the danger; he sent Stirling no order to retreat; but Sullivan went out with a small party, and took command of the regiments of Henshaw and Johnston.

The sun rose with an angry red glare, foreboding a change of weather; the first object seen from New York was the squadron of Sir Peter Parker attempting to sail up the bay as if to attack the town; but the wind veering to the northward, it came to anchor at the change of tide, and the "Roebuck" was the only ship that fetched high enough to exchange shot with the battery at Red-hook. Relieved from apprehension of an attack on the city, Washington repaired to Long Island; but he rode through the lines only in time to witness the disasters which were become inevitable.

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The van of the British army under Clinton, guided by tory farmers of the neighborhood, having captured a patrol of American officers in the night and learnt that the Jamaica pass was not occupied, gained the heights on the first appearance of day. The whole force with Howe, after passing them without obstruction, and halting to give the soldiers time for refreshment, renewed its march. At half-past eight, or a little later, it reached Bedford, in the rear of the American left, and the signal was given for a general attack. At this moment the whole force of the Americans on Long Island was but about eight thousand,[1] less rather than more; of these only about four thousand, including all who came out with Stirling and Sullivan, were on the wooded passes in advance of the Brooklyn lines. They were environed by the largest British army which appeared in the field during the war. Could the American parties have acted together, the disproportion would yet have been more than five to one; but as they were disconnected, and were attacked one by one, and were routed in a succession of skirmishes, the disproportion was too great to be calculated. The

[1] I make this statement of the force under Putnam after a very laborious examination of all the returns which I could find. The rodomontade of Howe, Almon's Debates, xi. 349, is repeated by Stedman, i. 194. But in 1779 testimony was taken on the subject before the British house of commons; Lord Cornwallis, answering as a witness, says: "It was reported they [the Americans] had six or eight thousand men on Long Island." Almon's Debates, xiii. 9. General Robertson testifies that he believed Howe at the time was not aware of the weakness of the Americans; and, from what he had heard since, he estimates them to have been seven thousand; whom, however, he divides between the lines and the hills in a very strange manner. Almon, xiii. 314. Montresor's estimate was eight to ten thousand. Almon, xiii. 54. But Cornwallis is the best witness.

regiments on the extreme left did not perceive their danger till the British had turned their flank; they were the first to fly, and they reached the lines, though not without grievous losses. The regiment of Ward of Connecticut, which made its way seasonably by the mill-pond, burned the bridge as it passed, unmindful of those who were to follow.

When the cannonading from the main army and the brigades under Grant was heard, the Hessians, with flying colors and music of drums and hautboys, moved up the ridge, the yagers under Donop and some volunteers going in advance as flanking parties, and clearing the way with their small cannon; the battalions followed, not after the European tactics, but, on account of the hills and valleys where three men could not march abreast, with a widely extended front, and in ranks but two deep, using only the bayonet. At first Sullivan's party fired with nervous rapidity, and too high, doing little injury; then, on becoming aware of the danger on their flank and rear, they turned to retreat. The Hessians took possession of their deserted redoubt, its three brass six-pounders, one howitzer, and two baggage-wagons, and chased the fugitives relentlessly through the thickets. The Americans, stopped on their way by British regiments, were thrown back upon the Hessians. For a long time the forest rung with the cries of the pursuers and the pursued, the crash of arms, the noise of musketry and artillery, the notes of command given by trumpets and hautboys; the ground was strewn with the wounded and the

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dead. Here and there a Hessian found amusement in pinning with his bayonet a rifleman to a tree; the British soldiers were equally merciless. The Jersey militia fought well, till Johnston, their colonel, was shot in the breast, after showing the most determined courage. Sullivan, seeing himself surrounded, desired his men to shift for themselves. Some of them, fighting with desperate valor, cleaved a passage through the British to the American lines; others, breaking into small parties, hid themselves in the woods, from which they escaped to the lines, or were picked up as prisoners. Sullivan concealed himself in a field of maize, where he was found by three of Knyphausen's grenadiers.

The contest was over at the east and at the centre. Near the bay, Stirling still maintained his position, inspiring his men with hatred of the thought of retiring before Grant, who in the house of commons had insulted the Americans as cowards. Lord Howe, having learned that Grant's division, which halted at the edge of the woods, was in want of ammunition, went himself with a supply from his ship, sending his boat's crew with it on their backs up the hill, while further supplies followed from the store-ships. Early in the day, Parry, lieutenant-colonel under Atlee, was shot in the head as he was encouraging his men. Parsons, thinking it time to retreat, left his men in quest of orders; he was intercepted, concealed himself in a swamp, and came into camp the next morning by way of the East river. His party, abandoned to themselves, were nearly all taken prisoners; among

them Jewett of Lyme, captain of volunteers, after his surrender was run through the body by the officer to whom he gave up his sword. None remained in the field but Stirling, with the regiment of Maryland and that of Delaware. For nearly four hours they had stood in their ranks with colors flying; when Stirling, finding himself without hope of a reënforcement, and perceiving the main body of the British army rapidly coming behind him, gave them the word to retreat. They withdrew in perfect order; twenty marines, who mistook the Delawares, from the facing of their uniforms, for Hessians, were brought off as prisoners. The only avenue of escape was by wading through Gowanus creek; and this passage was almost cut off by troops under Cornwallis, who had advanced by the Port road, and, with the second regiment of grenadiers and the seventy-first of Highlanders, blocked the retreat at a house near the tide-mills, within less than a half-mile of the American lines. Stirling had not a moment to deliberate; he must hold Cornwallis in check, or his whole party is lost; with the quick inspiration of disinterested valor, he ordered the Delaware regiment and one half of that of Maryland to make the best of their way across the marsh and creek; while, to secure them time for this movement, he confronted the advancing British with only five companies of Marylanders. His heroic self-sacrifice animated the young soldiers whom he retained with almost invincible resolution; they flew at the enemy with "unparalleled bravery, in view of all the American generals and troops within the

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lines, who alternately praised and pitied them." Washington wrung his hands as he exclaimed: "My God! what brave men must I this day lose!" They seemed likely to drive back the foremost ranks of the British; and when forced to give way, rallied and renewed the onset. In this manner ten minutes were gained, so that the Delawares with their prisoners, and all of the Maryland regiment but its five devoted companies, succeeded in reaching the creek. Seven were drowned in its deep waters; the rest got safely over, and were escorted to the camp by a regiment and a company, which Washington had sent out to their relief. Stirling and the few who were with him attempted to pass between Cornwallis and an American fort, but were beaten back by masses of troops. Pressed by the enemy in the front and the rear, attacked on the right flank and on the left, they gave up the contest. Most of them, retreating to the right through the woods, were cut to pieces or taken; nine only succeeded in crossing the creek. Stirling himself, refusing to surrender to the British general, sought Von Heister, and gave up his sword to the veteran.

During the engagement, a deep column of the British descended from the woods with General Vaughan, and drew near the American lines; they were met by the fire of cannon and small arms. Howe would not risk an assault, and ordered them back to a hollow way, where they were out of the reach of musketry. The works were carefully planned, protected by an abatis, manned by fresh troops, who were strengthened by three regiments

of Scott's brigade, just arrived from New York. Washington was present to direct and to encourage. The attempt to storm the redoubt, without artillery or fascines or axes or scaling-ladders, might have been repulsed with losses greater than at Bunker Hill; had the works been carried, all the American troops on Long Island must have surrendered. CHAP. IV. 1776. August 27.

Of the British, at the least five officers and fifty-six others were killed, twelve officers and two hundred and forty-five others wounded, one officer and twenty marines taken prisoners. Much more than one half of this loss fell upon the troops who successively encountered Stirling. Of the Hessians, only two privates were killed; three officers and twenty-three privates were wounded. The total loss of the Americans, including officers, was, after careful inquiry, found to be less than a thousand, of whom three fourths were prisoners; this is the account always given by Washington, alike in his official report and in his most private letters; its accuracy is confirmed by the special returns from those regiments which were the chief sufferers. More than half of this loss fell upon Stirling's command; more than a fourth on the Maryland regiment alone.

From the coast-road on the bay to the pass on the road from Jamaica was a distance of more than five miles, too great to be occupied, except by pickets. The approach of the British to the American lines could not have been prevented; and nothing but inexperience or blind zeal could have expected a different result. But the extent

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of the disasters of the day was due to the incapacity of Putnam, who, in spite of warning, suffered himself to be surprised; and having sent Stirling and "the flower of the American army" into the most dangerous position into which brave men could have been thrown, neglected to countermand his orders.

The day, though so full of sorrow for the Americans, shed little glory on British arms. The Hessians, who received the surrender of Sullivan, Stirling, and more than half the captives, made no boast of having routed disconnected groups of ill-armed militia, who were supported only by a few poor cannon, and were destitute of engineers.

CHAPTER V.

THE RETREAT FROM LONG ISLAND.

August 27—30, 1776.

A bleak northeasterly wind sprung up at the close of the day. The British army, whose tents had not yet been brought up, slept in front of the lines at Brooklyn, wrapped in their blankets and warmed by fires. Those of the patriot army who in their retreat from the woody heights had left their blankets behind them, and the battalions of Scott's brigade, which had come over in haste, passed the night without shelter, suffering from the cold. The dead of the Americans lay unburied in the forest; the severely wounded languished where they fell, to suffer uncared for, and to die alone; here and there a fugitive who had concealed himself in a thicket or a swamp found his way back to his old companions. The captives were forced to endure coarse revilings and cowardly insults; and, when consigned to the provost-marshal, were huddled together in crowded rooms or prison-ships, cut

CHAP. V. 1776. August 27. off from good air and wholesome food, to know the intensest bitterness of bondage, and waste away and die. Sadness prevailed in the American camp; distrust and dejection succeeded the rash presumption of inexperience. The privates began to hold most of their general officers in light esteem; and Washington alone could inspire confidence. He was everywhere in person; and only when it became certain that the British would remain quiet during the night, did he retire for short rest.

28. The next morning, which was Wednesday, was chill, and the sky lowered with clouds. Unable to rely on either of his major-generals, Washington again, at the break of day, renewed the inspection of the American works, which from their great extent left many points exposed. He watched closely the British encampments, which appeared large enough for twenty thousand men; wherever he passed, he encouraged his soldiers to engage in continual skirmishes. During the morning, Mifflin brought over from New York a reënforcement of nearly one thousand men, composed of Glover's regiment of Massachusetts fishermen, and the Pennsylvania regiments of Shee and Magaw, which were "the best disciplined of any in the army." Their arrival was greeted with cheers. They raised the number of the Americans to nine thousand. In the afternoon, rain fell heavily; the lines were at some places so low that men employed in the trenches stood up to their waists in water; provisions could not be regularly served, and whole regiments had nothing to eat but raw pork and bread; but they bore up against all hardships, for

their commander-in-chief was always among them, exposing himself more than any one to the fury of the storm, restoring order and obedience by his incessant care, and teaching patience by his example. When the soldiers were ready to sink, the sight of their general calmly and persistently enduring the same hardships with themselves reconciled them to their sufferings.

But the physical pains of Washington were his least; it shows how clear was his perception that he alone must watch for his generals and his army, that for eight-and-forty hours he gave no one moment to sleep, and for nearly all that time was on horseback in the lines.

The British commander-in-chief, General William Howe, by illegitimate descent an uncle to the king, was of a very different character. Six feet tall, of an uncommonly dark complexion, a coarse frame, and a sluggish mould, he was unresistingly ruled by his sensual nature. He was not much in earnest against the Americans, partly because he was persuaded that they could not be reduced by arms, partly because he professed to be a liberal in politics, partly because he never kindled with zeal for anything. He had had military experience, and had read books on war; but being destitute of swiftness of thought and will, he was formed to carry on war by rule. He would not march till he could move deliberately, with ample means of transportation. On the field of battle he sometimes showed talent as an executive officer; but, except in moments of high excitement, he was lethargic, wanting alertness and sagacity. He hated business,

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and his impatience at being forced to attend to it, joined to a family gloom, made him difficult of access, and gained him the reputation of being haughty and morose. His indolence was his bane: not wilfully merciless, he permitted his prisoners to suffer from atrocious cruelty; not meaning that his troops should be robbed, he left peculators uncontrolled, and the army and the hospitals were wronged by contractors. His notions of honor in money matters were not nice; but he was not so much rapacious as insatiable. Disliking to have his personal comforts infringed, he indulged freely in the pleasures of the table; without any delicacy of passion, kept a mistress; and loved to shake off dull indifference by the hazards of the faro-table. His officers were expected to be, in the field, insensible to danger like himself; in their quarters, he was willing they should openly lead a profligate life; and his example led many of the young to their ruin by gaming. He had nothing heroic about him, wanting altogether the quick eye, the instant combination, and the commanding energy of a great warrior.

During the day, a party of provincial loyalists, under the command of De Lancey, overtook Woodhull two miles beyond Jamaica; after he had surrendered, his captors struck him on the head with a cutlass, and slashed his arm, inflicting wounds which before many days proved fatal. He and several of the militia who were taken with him are included in Howe's list of the captives of the previous day.

All the following night Washington kept an

unceasing watch over the intentions of the British army and the condition of his own. In Philadelphia, rumor quadrupled his force; the continental congress expected him to stay the English at the threshold, as had been done at Charleston; but the morning of Thursday showed him that the British had broken ground within six hundred yards of the height now known as Fort Greene. He saw that they intended to force his lines by regular approaches, which the nature of the ground and his want of heavy cannon extremely favored; he saw that all Long Island was in their hands, except only the neck on which he was intrenched, and that a part of his camp would soon be exposed to their guns; his men were cast down by misfortune, and falling sick from hard service, exposure, and bad food; his force was divided by a channel, more than half a mile broad, and swept by swift tides; on a change of wind, he might be encircled by the entrance of the British fleet into the East river; or ships which had sailed round Long Island into Flushing bay might suddenly convey a part of the British army to Harlem, or to Fordham heights, in his rear.

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It was his first care to provide means of transportation for the retreat which it was no longer safe to delay. Through Mifflin, in whom he confided more than in any general on the island, and who agreed with him in opinion, he despatched, at an early hour, a written command to Heath, at Kingsbridge, "to order every flat-bottomed boat and other craft at his post, fit for transporting

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troops, down to New York as soon as possible, without the least delay." In like manner, before noon, he sent Trumbull, the commissary-general, to New York, with orders for Hugh Hughes, the assistant quartermaster-general, "to impress every kind of water-craft, on either side of New York, that could be kept afloat, and had either oars or sails, or could be furnished with them, and to have them all in the East river by dark."

To prevent confusion, these orders were issued in such profound secrecy that not even his aids knew his purpose. All day long he continued abroad in the wind and rain, visiting the stations of his men as before, and restraining their impatience. Not till "late in the day" did he alight from his horse to meet his council of war at the house of Philip Livingston on Brooklyn heights. The abrupt proposal to retreat startled the impulsive zeal of Morin Scott, and against his better judgment he objected to "giving the enemy a single inch of ground." But unanswerable reasons were urged in favor of Washington's design: the Americans were invested by an army of more than double their number from water to water; Macdougall, whose nautical experience gave weight to his words, declared "that they were liable every moment, on the change of wind, to have the communication between them and the city cut off by the British frigates;" their supply of almost every necessary of life was scant; the rain which had fallen for two days and nights with little intermission had injured their arms and spoiled a great part of their ammunition; the soldiery, of whom

many were without cover at night, were worn out by incessant duties and watching. The resolution to retreat was therefore unanimous; yet, in the ignorance of what orders Washington had issued and how well they had been obeyed, an opinion was entertained in the council that success was not to be hoped for.

After dark, the regiments were ordered to prepare for attacking the enemy in the night; several of the soldiers published to their comrades their unwritten wills; but the intention to withdraw from the island was soon surmised. At eight o'clock Macdougall was at Brooklyn ferry, charged to superintend the embarkation; and Glover of Massachusetts, with his regiment of Essex county fishermen, the best mariners in the world, manned the sailing-vessels and flat-boats. The rawest troops were the first to be embarked; Mifflin, with the Pennsylvania regiments of Hand, Magaw, and Shee, the Delawares, and the remnant of the Marylanders, claimed the honor of being the last to leave the lines. About nine, the tide of ebb made with a heavy rain and a strong adverse wind, so that for three hours the sail-boats could do little, and, with the few row-boats at hand, it seemed impossible to transport all the army; but at eleven, the northeast wind, which had raged for three days, died away; the water became so smooth that the row-boats could be laden nearly to the gunwales; and a breeze sprung up from the south and southwest, swelling the canvas from the right quarter. It was the night of the full moon; the British were so nigh that they were

CHAP. V. 1776. August 29. heard with their pickaxes and shovels; yet neither Agnew, their general officer for the night, nor any one of them, took notice of the deep murmur in the camp, or the plash of oars on the river, or the ripple under the sail-boats. All night long, Washington was riding through the camp, insuring the regularity of every movement. Some time before 30. dawn on Friday morning, Mifflin, through a mistake of orders, began to march the covering party to the ferry; it was Washington who discovered them, in time to check their premature withdrawing. The order to resume their posts was a trying test of young soldiers; the regiments wheeled about with precision, and recovered their former station before the enemy perceived that it had been relinquished. As day approached, the sea-fog came rolling in thickly from the ocean; welcomed as a heavenly messenger, it shrouded the British camp, completely hid all Brooklyn, and hung over the East river without enveloping New York. When, after three hours or more of further waiting, and after every other regiment was safely cared for, the covering party came down to the water-side, Washington remained standing on the ferry-stair, and would not be persuaded to enter a boat till they were embarked. It was seven o'clock before all the companies reached the New York shore. At four, Montresor had given the alarm that the Americans were in full retreat; but the English officers were sluggards, and some hours elapsed before he and a corporal, with six men, clambered through the fallen trees, and entered the works, only to find them evacuated. From Brooklyn

heights four boats were still to be seen through the lifting fog on the East river; three of them, filled with troops, were half-way over, and escaped; the fourth, manned by three vagabonds who had loitered behind to plunder, was taken; otherwise the whole nine thousand who were on Long Island, with their provisions, military stores, field-artillery, and ordnance, except a few worthless iron cannon, landed safely in New York. CHAP. V. 1776. August 30.

"Considering the difficulties," wrote Greene, "the retreat from Long Island was the best-effected retreat I ever read or heard of."

NOTE.

My account of the retreat from Long Island differs so materially from that given by the biographer of Joseph Reed, that I will not demand it to be received as accurate without explaining the authority on which it rests. This is the more necessary as the ability and reputation of that author, William B. Reed, have misled others to adopt his narrative. The biographer represents Washington in council "on the night of the 26th," (Reed's Reed, i. 221); that "sources of deep anxiety were open, and yet Washington acted as if in command of veteran troops," (Ibid. 222); that on the 28th "he still adhered to his intention to risk a battle at his intrenchments," (Ibid. 224); that "the heavy rain of the 28th was succeeded on the 29th by a fog on the island," (Ibid. 225); that "Colonel Reed, with Mifflin and Grayson, rode to the western extremity of the lines;" that, "whilst there the fog was lifted by a shift of wind, and the British fleet within the Narrows could be plainly seen;" that "some movement was in contemplation; and if the wind held, and the fog cleared off, the fleet would come up and surround the American army," (Ibid. 225); that "it was determined that the three officers should at once return to General Washington's quarters, and urge the immediate withdrawal of the army;" that "they" [namely, Colonel Reed and Mifflin and Grayson] "had reason to believe that this counsel would not be acceptable, and that the commander-in-chief desired to try the fortune of war once more in his present position;" that "Colonel Reed, as the most intimate, and the most entitled to respect, was fixed on as the one to suggest the movement;" and that 27–30.

CHAP. V.

1776. August 27–30.

Colonel Reed's advice, thus forced upon the general, prevailed, and occasioned the call of a council of war, (Ibid. 226).

That this story would lead to the inference that Washington was a most incompetent general, and a very weak man, and utterly unfit for his place, must not bias the mind of the historical inquirer. It is the office of the historian to find out the truth and to tell it, even though it should convict Washington of imbecility, while placing Colonel Reed among the saviours of the country.

The main authority of the biographer for his statement is a paper purporting to be a letter from an old man of eighty-four, just three days before his death, when he was too ill to write a letter, or to sign his name, or even to make his mark, and professing to detail the substance of conversations held by the moribund fifty-six years before, with Colonel Grayson of Virginia, ten or eleven years after the retreat from Long Island, to which the conversations referred. The eyes of the witness closed too soon to admit of his being cross-examined, but nature comes in with its protest: his story turns on a change of wind, which he represents as having taken place before the council of war was called; now no such change of wind took place before the council of war met, as appears from their unanimous written testimony at the time. Proceedings of a council of war held August 29, 1776, at head-quarters in Brooklyn, printed by Onderdonk, 161, and in Force's Archives, fifth series, i. 1246.

The lifting of the fog and consequent sight of the British fleet which the biographer dwells upon is, as far as I know, supported by no witness at all; and this little bit of romance, which forms the pivot of the biographer's attribution of special merit to Colonel Reed, is refuted by positive testimony. The sea-fog, following the change of wind did not take place till after the retreat began. The accounts of contemporaries all agree that the fog did not rise till the morning of the thirtieth. Account in the Boston Independent Chronicle of September 19, 1776: "At sunrise" on the thirtieth. Benjamin Tallmadge's Memoirs, 10, 11: "As the dawn of the day approached, a very dense fog began to rise." Gordon's History of the American Revolution, ii. 314, English edition of 1788: "A thick fog about two o'clock in the morning." Gordon wrote from the letters of Glover, and from the information of persons who were present. Note to the Thanksgiving sermon of Dr. John Rogers of New York, delivered in New York, December 11, 1783, and printed in 1784: "Not long after day broke, a heavy fog rose." Graydon makes his first mention of the fog in his account of what happened in the morning of the thirtieth. Some of these authorities are cited in the accurate and judicious work of Henry Onderdonk, Jr.: Revolutionary Incidents in Suffolk and King's Counties, 158, 162.

Graydon, who is cited by Reed's biographer as a corroborative witness, leaves Mifflin out of the number of those who spoke with Reed in favor of a retreat. Littell's edition of Graydon's Memoirs, 166.

The biographer of Reed seems not to have borne in mind the wonderful power of secrecy of Washington, in which he excelled even Franklin; for Franklin sometimes left the impression that he knew more than he was willing to utter, but Washington always seemed to have said all that the occasion required. The perfect unity and method of the retreat prove the controlling mind of one master. Washington's order given to Heath, who was stationed at Kingsbridge, to provide boats for transportation, may be found in Force, (American Archives, fifth series, i. 1211); how Heath understood and executed it is told by Heath himself, (Heath's Memoirs, 57). Of the precise hour in which Washington's order to Heath was issued or received I have found no minute; but that it must have been issued soon after daylight on the twenty-ninth appears from this: the messenger who bore it had to cross the East river against a strong head-wind, and to travel about fifteen miles by land; and Heath received the order in season to execute it thoroughly well, and he makes no complaint of any want of time or necessity for hurry. The council of war was not held till "late in the day," as we know from a member of the council itself, writing within a few days of the event. Brigadier-General John Morin Scott to John Jay, September 6, 1776. It follows, therefore, if Reed during the day was ignorant of Washington's design to retreat from Long Island, that Washington kept it as much a secret from him as he did from others. I have met with no evidence that Washington, before noon, communicated his intentions to more than two persons on Long Island, namely, to Mifflin, through whom the order was sent to Heath, and to Colonel Joseph Trumbull, the commissary-general through whom a message was transmitted to Hugh Hughes, the acting quartermaster-general in New York. Memorial of Hugh Hughes, 32, &c. All the orders relating to the retreat were veiled under the appearance of a movement against the enemy.

Why Washington decided to retreat from Long Island is rightly told in what remains of a letter written on the thirtieth of August, 1776, by Joseph Reed to William Livingston of New Jersey, and printed in Sedgwick's Life of Livingston, 201. That Washington was deliberately resolved "to avoid a general action," and put as little as possible to risk, we have under his own hand. Sparks's Washington, iv. 81.

CHAPTER VI.

THE PROGRESS OF THE HOWES.

AUGUST 30—SEPTEMBER 15, 1776.

CHAP. VI. 1776. August 30.

CARE sat heavily on the brow of the young people, who were to be formed to fortitude by tribulation, and endeared to after ages by familiarity with sorrows. After the disaster of Long Island, Lord Howe received Sullivan on board of the "Eagle" with hospitable courtesy, approved his immediate exchange for General Prescott, who was at Philadelphia, and then spoke so strongly of his own difficulty in recognising congress as a legal body, of the prevailing misconception respecting his authority to enter into any discussion of grievances, and yet of his ample powers to open a way for their redress, that the American general proposed to visit Philadelphia as a go-between, and undeceive those who entertained so confined an opinion. His indiscretion was without bounds; volunteering to act as a messenger from an enemy of his country to its government, he took no

minute of the offer which he was to bear, relying only on his recollection of desultory conversations. A few hours after the troops got over from Long Island, he followed on parole. The American commander-in-chief disapproved his mission; but deemed it not right to prohibit by military authority an appeal to the civil power. CHAP. VI. 1776. August 30.

For the time, Washington could only hope to keep at bay the great army opposed to him. The dilatoriness of his antagonist left him leisure to withdraw the garrison from Governor's island, where Prescott ran almost as great a risk of captivity as at Bunker Hill; but the inhabitants of Long Island were left at the mercy of the English, and some from choice, some to escape the prison-ship and ruin from confiscation, took the engagement of allegiance. Yet the delay caused by the defence of Brooklyn had done much towards preventing a junction with Carleton. Of this the thought was now abandoned for the season; and in a letter to Germain, the British general frankly announced the necessity of another campaign. His report of the events on Long Island hid his chagrin at the escape of Washington's army under boastful exaggerations, magnifying the force which he encountered two or three times, the killed and wounded eight or ten times, and enlarging the number of his prisoners. His own loss he somewhat diminished. 30, 31. Sept.

Conscious that congress were expecting impossibilities, Washington saw the necessity of setting forth to them plainly the condition of his army. He reminded them of his frequent representation, 2.

CHAP. VI. 1776. Sept. 2.

that the public safety required enlistments for the war; the defeat on Long Island had impaired the confidence of the troops in their officers and in one another; the militia, dismayed, intractable, and impatient, went off by half-companies, by companies, and almost by whole regiments at a time; their example impaired all subordination, and forced him to confess his "want of confidence in the generality of the troops;" the city of New York must be abandoned; and the necessity for doing it was so imminent, that the question whether its houses should be left to stand as winter-quarters for the enemy would "admit of but little time for deliberation." His judgment was right; Rufus Putnam, his ablest engineer, reported that the enemy, from their command of the water, could land where they pleased at any point between the bay and Frog's neck; while Greene advised a general retreat, and that the city and its suburbs should be burned.

When, on the second of September, Sullivan was introduced to the congress, John Adams broke out to the member who sat next him: "Oh, the decoy-duck; would that the first bullet from the enemy in the defeat on Long Island had passed through his brain!" In delivering his message, the emissary went so far as to affirm that Lord Howe said "he was ever against taxing us; that he was very sure America could not be conquered; that he would set aside the acts of parliament for taxing the colonies and changing the charter of Massachusetts." Congress directed Sullivan to reduce his communication to writing. He did so,

and presented it the next morning. Its purport was, "that though Lord Howe could not at present treat with congress as such, he was very desirous as a private gentleman to meet some of its members as private gentlemen; that he, in conjunction with General Howe, had full powers to compromise the dispute between Great Britain and America; that he wished a compact might be settled at this time; that in case, upon conference, they should find any probable ground of an accommodation, the authority of congress must be afterwards acknowledged."

Having received this paper, which proposed the abandonment of independence and of union, and the abdication of congress, that body proceeded to the business of the day. In committee of the whole, they took into consideration the unreserved confession of Washington, that he had not a force adequate to the defence of New York. They were unwilling to give room for a suspicion of their firmness by consenting in advance to the surrender of that city; they therefore decided that "it should in no event be damaged, for they had no doubt of being able to recover it, even though the enemy should obtain possession of it for a time." They ordered for its defence three more battalions from Virginia, two from North Carolina, and one from Rhode Island; and they invited the assemblies and conventions of every state north of Virginia to forward all possible aid; but the strange expectation that the British could be kept off by speculative reënforcements increased

CHAP. VI. 1776.

the difficulties and the peril which environed Washington.

Sept. 4, 5. On the fourth and fifth, congress debated the message of Lord Howe, which Witherspoon, with a very great majority of the members, looked upon as an insult. "We have lost a battle and a small island," said Rush, "but we have not lost a state; why then should we be discouraged? Or why should we be discouraged, even if we had lost a state? If there were but one state left, still that one should peril all for independence." George Ross sustained his colleague. "The panic may seize whom it will," wrote John Adams; "it shall not seize me;" and like Rush and Witherspoon, he spoke vehemently against the proposed conference. On the other hand, Edward Rutledge favored it, as a means of procrastination; and at last New Hampshire, Connecticut, and even Virginia gave way for the sake of quieting the people. Sullivan was directed to deliver to Lord Howe a written "resolve, that the congress, being the representatives of the free and independent states of America, could not send their members to confer with him in their private characters; but, ever desirous of peace on reasonable terms, they would send a committee of their body to learn whether he had any authority to treat with persons authorized by them, what that authority was, and to

6. hear his propositions." On the sixth, the committee was elected by ballot, and the choice fell on Franklin, John Adams, and Edward Rutledge. For the future, it was ordered that no proposals for

peace between Great Britain and the United States should be received, unless they should be made in writing, and should recognise the authority of the states in congress. CHAP. VI. 1776. Sept. 7.

Notwithstanding the desire of congress that New York should be held, Washington remained convinced that it was impossible; and on the seventh he convened his general officers, in the hope of their concurrence and support. The case was plain; yet Mercer, who was detained at Amboy, wrote his untimely wish to maintain the post; others interpreted the vote of congress as an injunction that it was to be defended at all hazards; and as one third of the army had no tents, and one fourth were sick, many clung to the city for shelter. The majority, therefore, decided to hold it with five thousand men, and to distribute the rest of the army between Kingsbridge and Harlem heights. The power to overrule the majority of his general officers had not been explicitly conferred on Washington, and as he might be considered but as first among his peers, he most reluctantly submitted to their advice till he could convince congress that the proposed evacuation was an absolute necessity. Meantime he removed such stores as were not immediately needed, and began the slow and difficult task of transferring the sick to the inland towns of New Jersey.

The plainly perceptible hesitancy of decision was very unjustly attributed by the ill-informed to the general himself. In August congress had sent for Charles Lee, as the proper head of the army, should any accident befall Washington; and now

CHAP. VI. 1776. Sept. 8.

officers of merit as well as privates "were continually praying most earnestly for the arrival of General Lee as their guardian angel."

Abandoned by his council, Washington still adhered firmly to his plan for the campaign; and foreseeing the danger of risking by delay the loss of arms and stores, he appealed to congress with increased earnestness. While the troops voted him did not arrive, the militia were all the time returning home, so that the number from Connecticut was reduced from six thousand to two thousand. To those members of congress whose unreasoning zeal would not surrender an inch of land, still less the city which was the point of connection between the north and the south, least of all, fortifications which represented the labor of thousands of men during many months, Washington replied: "To be prepared at each point of attack has occasioned an expense of labor which now seems useless, and is regretted by those who form a judgment from after-knowledge; but men of discernment will think differently, and see by such works and preparations we have delayed the operations of the campaign till it is too late to effect any capital incursion into the country. It is now obvious that they mean to enclose us on the island of New York, by taking post in my rear, while the shipping secures the front; and thus oblige us to fight them on their own terms, or surrender at discretion. On every side there is a choice of difficulties. Every measure is to be formed with some apprehension that all our troops will not do their duty. On our side the war should be defensive; it has even been called a

war of posts; we should on all occasions avoid a general action, and never be drawn into a necessity to put anything to risk. Persuaded that it would be presumptuous to draw out our young troops into open ground against their superiors both in number and discipline, I have never spared the spade and pickaxe. I have not found that readiness to defend even strong posts at all hazards which is necessary to derive the greatest benefit from them. We are now in a post, strong, but not impregnable; nay, acknowledged by every man of judgment to be untenable. It has been considered as the key to the northern country; but by establishing strong posts at Mount Washington on the upper part of this island, and on the Jersey side opposite to it, and by the assistance of obstructions in the water, not only the navigation of Hudson river, but a communication between the northern and southern states, may be more effectually secured. I am sensible that a retreating army is encircled with difficulties, that declining an engagement subjects a general to reproach, and may throw discouragement over the minds of many; but when the fate of America may be at stake on the issue, we should protract the war if possible. That the enemy mean to winter in New York, there can be no doubt; that they can drive us out, is equally clear; nothing seems to remain, but to determine the time of their taking possession."

CHAP. VI. 1776. Sept. 8.

Congress received with coldness this remonstrance of Washington; but it was unanswerable, and they resolved, on the tenth, that it had not been "their sense, that any part of the army should remain in

10.

CHAP. VI. 1776. Sept. 11.

New York a moment longer than he should think it proper for the public service."

On the eleventh, Lord Howe sent his barge for Franklin, John Adams, and Rutledge; relying on his honor, they took with them the officer sent as a hostage for their security. They were met by him at the water's edge, and conducted through files of grenadiers, armed with fixed bayonets, to a large stone house, where, in a room carpeted with moss and green boughs, they partook of an excellent collation. In the discussion of business, a difficulty presented itself at the outset. As they had been formally announced as a committee from congress, Lord Howe premised, with some embarrassment of manner, that he was bound to say he conversed with them as private individuals. At this, John Adams came to his relief, saying: "Consider us in any light you please, except that of British subjects." During a conversation which lasted for several hours Lord Howe was discursive in his remarks: he went back to the last petition of congress to the king, and to the time anterior to the declaration of independence; he hoped that this interview might prepare the way for the return of America to her allegiance, and for an accommodation of the two countries. To bring the discussion to a point, Edward Rutledge cited to him the declaration of Sullivan, "that he would set the acts of parliament wholly aside, because parliament had no right to tax America, or meddle with her internal polity."

Lord Howe had no discretionary power whatever with regard to these two vital points in the con-

troversy; he therefore answered Rutledge, like a man of honor, with truth and frankness, "that Sullivan had extended his words much beyond their import; that, while the king and ministry were willing that instructions and acts of parliament complained of should be revised, his commission in respect to them was confined to powers of consultation with private persons." Franklin inquired if the commissioners would receive and report propositions from the Americans; as no objection was interposed, he represented "that it was the duty of good men on both sides of the water to promote peace by an acknowledgment of American independence, and a treaty of friendship and alliance between the two countries;" and he endeavored to prove that Great Britain would derive more durable advantages from such an alliance than from the connection which it was the object of the commission to restore. Lord Howe did not fail to report this overture, which he in his heart was beginning to approve. The committee of congress, on their return to Philadelphia, reported that he had made no proposition of peace, except that the colonies should return to their allegiance to the government of Great Britain; and that his commission did not appear to contain any other authority of importance than what was expressed in the act of parliament, namely, that of granting pardons, and declaring America, or any part of it, to be in the king's peace, upon submission. "Our sins against God," wrote the governor of Connecticut, "need pardon from the supreme

CHAP. VI. 1776. Sept. 11.

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Director of all events; the rebels who need pardon from the king of Britain are not yet discovered."

11. By this time the army of General Howe extended along the high ground that overlooks the East river and the sound, from Brooklyn to Flushing, and occupied the two islands which we call Ward's and Randall's; a battery erected at Astoria replied to the American works on the point just north of Hellgate ferry. Night after night, boats came in and anchored just above Bushwick. On

12. the twelfth, Washington, supported by the written request of Greene and six brigadiers, reconvened his council of war at the quarters of Macdougall; and this time it was decided to abandon the lower part of the island, none dissenting but Spencer from sheer ignorance and dulness, Heath from dishonesty, and George Clinton from stubborn zeal. The council was hardly over, when Washington was once more in the lines; and at evening the Americans under his eye doubled their posts along the East river. He was seen by the Hessians, and Krug, a captain of the Hessian artillery, twice in succession pointed cannon at him and his staff, and was aiming a third shot, as he rode on.

13. The thirteenth, the anniversary of the victory on the Plains of Abraham, in which Howe bore an honorable part, was selected for the landing of the British in New York; the watchword was Quebec, the countersign Wolfe; but the ships of war that were to cover the landing caused delay. In the afternoon, four of them, keeping up an incessant fire, and supported by the cannon on Governor's

island, sailed past the American batteries into the East river, and anchored opposite the present Thirteenth street. Washington kept a close watch on their movements, and one of their shot struck within six feet of him. During the fourteenth he did all that his very scanty means of transportation would allow, to save his stores and artillery About sunset, six more British armed ships went up the East river. In one more day, the city would have been evacuated. CHAP. VI. 1776. Sept. 14.

On the fifteenth, three ships of war ascended the Hudson as far as Bloomingdale, which put a stop to the removal of army stores by water. At eleven, the ships of war which were anchored in the stream below Blackwell's island began a heavy cannonade, to scour the grounds; at the same time, eighty-four boats laden with troops, under the direction of Admiral Hotham, came out of Newtown creek, and with a southerly wind sailed up the East river in four columns; till, on a signal, they formed in line, and, aided by oars and the sweeping tide, came to the shore between Turtle bay and the city, in array for battle. At the sound of the first cannon, Washington, who had supposed the principal landing would be made at Harlem or Morrisania, rode "with all possible despatch" towards Kip's bay, near Thirty-fourth street; as he drew near, he found the men who had been posted in the lines running away, and the brigades of Fellows of Massachusetts and Parsons of Connecticut, that were to have supported them, flying in every direction, heedless of the exertions of their generals. Putnam's division of about four thousand 15.

CHAP. VI. 1776. Sept. 15.

troops was still in the lower city, sure to be cut off, unless the British could be delayed. When all else fails, the commander-in-chief must in person give the example of daring: Washington presented himself to lead any body of men, however small, who would make an effort to hold the advancing forces in check. He used every means to rally the fugitives, get them into some order, and reanimate their courage; but on the appearance of a party of not more than sixty or seventy, they ran away in the greatest confusion without firing a single shot, panic-stricken from fear of having their retreat cut off, leaving him on the ground within eighty yards of the enemy. "Are these the men by whom I am expected to defend the liberties of America?" he asked of himself; and he seemed to seek death rather than life. Being reminded by the officers nearest him that it was in vain to withstand the British alone, he turned to give the wisest orders for the safety of Harlem heights, and for guarding against ill consequences from the morning's disaster.

As the Hessians took immediate possession of the breastworks which guarded the Boston road, near the present Lexington avenue, the fugitive brigades fled, not without loss, across woody fields to Bloomingdale. At ten minutes past three in the afternoon, the American colors were struck on the old Fort George, and the English flag was raised by Lord Dunmore. Most of Putnam's division escaped by a road very near the Hudson; its commander, heedless of the intense heat of the day, rode from post to post to call off the pickets and

guards. Silliman's brigade threw itself in despair into the redoubt of Bunker hill, where Knox, at the head of the artillery, thought only of a gallant defence; but Burr, who was one of Putnam's aids, rode up to show them that a retreat was practicable, and guided them by way of the old Monument lane to the west side of the island, where they marched along the winding road now superseded by the Eighth avenue, and regained the Bloomingdale road near the present Sixtieth street. CHAP. VI. 1776. Sept. 15.

The respite which saved Putnam's division was due to Mary Lindley, the wife of Robert Murray. When the British army drew near her house on Incleberg, as Murray hill was then called, Howe and his officers, ordering a halt, accepted her invitation to a lunch; and by the excellence of her viands and old Madeira wine, and by the good-humor with which she parried Tryon's jests at her sympathy with the rebels, she whiled away two hours or more of their time, till every American regiment had escaped. Washington was the last to retire, riding from Bloomingdale but a few moments before it was occupied by the British infantry. The Americans left behind a few heavy cannon, and much of their baggage and stores; fifteen of them were killed; one hundred and fifty-nine were missing, chiefly men who had wilfully loitered behind. The British gained the island as far as the eighth mile-stone, with but two Hessians killed and about twenty British and Hessians wounded. At night, their bivouac extended from the East river near Hellgate to the Hudson at Bloomingdale. On Harlem heights the American

CHAP. VI. 1776. Sept. 15.

fugitives, weary from having passed fifteen hours under arms, disheartened by the loss of their tents and blankets, and wet by a cold driving rain that closed the sultry day, lay on their arms with only the sky above them.

NOTE.

The account I have given of Washington's conduct in his attempt to rally the fugitives at Kip's bay agrees substantially with that of Marshall, (Marshall's Washington, i. 101, ed. 1843,) and with the matured judgment of Sparks, (Life of Washington, 199). Washington was justly vexed at the cowardice of the men whom he had stationed at Kip's bay; he reported it in unsparing terms to congress, and censured it in general orders. All agree that he attempted, but in vain, to rally the men; no one disputes that, with the good judgment of perfect self-possession, he gave immediately the wisest orders for the safety of the army, nor that his conduct on the occasion struck the army with such awe that he could count on its courage by the dawn of another day. The makers of gossip have gradually embroidered upon the incident of his serious and well-founded displeasure a variety of inconsistent details. Of strictly contemporary accounts, that is, of accounts written within a few days of the events, I find three of importance: Washington to Congress, September 16, 1776, in his Official Letters, i. 246, and in Sparks, iv. 94; Greene to Governor Cooke of Rhode Island, September 17, 1776, in Force, fifth series, ii. 370; and Cæsar Rodney at Philadelphia to Messrs. Read and Mackean, September 18, 1776. The account of Rodney is a report carefully prepared from various sources which he does not specify. I give an extract from it: "From all I can collect, this was the situation of affairs on Sunday morning, when the ships before mentioned began a very heavy firing at Turtle bay, to scour the country previous to their landing the troops, but hurt nobody, that I can hear of. When the firing ceased, their troops began to land, and ours to run as if the devil was in them. In spite of all the general could do, they never fired one gun. General Washington, having discovered the enemy's intention to land at that place, ordered a reënforcement, and set out there himself. However, before he got to the place, he met our people running in every direction. He endeavored by persuasion and threats to get them back, but all to no purpose; in short, they ran till they left the general to shift for himself." This letter shows clearly the opinion prevailing among men of sense in Philadelphia at the time. Greene's words are: "Fellows's and Parsons's whole brigade ran away from about fifty

men, and left his excellency on the ground within eighty yards of the enemy, so vexed at the infamous conduct of the troops that he sought death rather than life." That Washington sought to shame or to inspirit his men by setting them an example of desperate courage may be true; certainly a general who chides for cowardice can do it best when he has just given evidence of his own disregard of danger. The embellishments of the narrative, which have been gradually wrought out, till they have become self-contradictory and ludicrous, may be traced to the camp. A bitter and jealous rivalry, which the adjutant-general had assisted to foment, had grown up between the New England troops and those south of New England. Northern men very naturally found excuses for their brethren, and may have thought that Washington censured them too severely; but while I have had in my hands very many contemporary letters written by New Englanders on the events of this campaign, I have never found in any one of them the least reflection on Washington for his conduct in the field during any part of this day, unless the words of Greene are to be so interpreted. The imputations began with officers south of New England, and were dictated by a zeal to illumine and bring out in bold relief the dastardly behavior of the eastern runaways. The first effort in that direction may be seen in an official letter from Smallwood, the highest Maryland officer, to the convention of his state: "Sixty light infantry, upon the first fire, put to flight two brigades of the Connecticut troops, — wretches who, however strange it may appear, from the brigadier-general down to the private sentinel, were caned and whipped by the Generals Washington, Putnam, and Mifflin, but even this indignity had no weight; they could not be brought to stand one shot." Colonel Smallwood to Maryland Convention, October 12, 1776, in Force, fifth series, ii. 1013. This statement, so full of blunders and impossibilities, shows the camp to be not always "a correct source" of information. Gordon comes next; under the date of December 20, 1776, he writes: "His [Washington's] attempts to stop them [the troops] were fruitless, though he drew his sword and threatened to run them through, cocked and snapped his pistols." Gordon, ii. 327. Now a man on horseback, "within eighty yards" of an advancing enemy, could not, at one and the same time, have managed his horse and drawn his sword and cocked his two old-fashioned flint-lock horse-pistols. Gordon was capable of prejudice, and was no critic; when he cites a document, I hold it certain that he cites it truly, for I have found it so in every case where I have had occasion to verify his citations; when he tells a story, I hold it certain that some one had told it before; but I have found that his repeating it gives it no sure claim to credence. His work, which, notwithstanding all its faults, is invaluable, is by no means free from tales that, on examination, are

CHAP. VI. 1776. Sept. 15.

found untrustworthy. Succeeding writers sometimes find it hard if they cannot add a little to the statements of previous narrators. Ramsay has indulged himself in an exposition of the train of thought which was passing through Washington's mind at the time of the fright and consequent confusion. Ramsay's Revolution, i. 306, 307. Heath, publishing "Memoirs" in 1798, improves upon Gordon, and writes from hearsay: "Here it was, as fame hath said, that General Washington threw his hat on the ground." Heath's Memoirs, 60. Graydon repeats the hearsay, but without vouching for it, "that the general lost all patience, throwing his hat upon the ground in a transport of rage and indignation." Graydon in Littell's edition, 174. Now Washington was on horseback; did he get off his horse to pick up his hat in the face of Cornwallis and Clinton? Did he ride about in sight of the British and Hessians and of his own army for the rest of the day bareheaded, or in a begrimed hat and plume? I am almost ashamed of exposing so foolish a story, which rests on no authority. To sum up the whole: Trustworthy documents prove that the party at Kip's bay retreated in a cowardly manner; that Washington was angry at them for their cowardice, as he ought to have been; that he was the last to consent to turn away from the enemy; that he then with promptness and unimpeached good judgment did everything which remained to be done; that on the next day he had a more perfect command of the army, and more assurance of their courage, than for several weeks before.

CHAPTER VII.

THE EMBARRASSMENTS OF AMERICA.

September 15—30, 1776.

The cowardice of the troops at Kip's bay was reported to congress by Washington with unsparing severity; and was rebuked in a general order, menacing instant death as the punishment of cowardice on the field. Meantime he used every method to revive the courage of his army. On the night of their reaching Harlem heights, he sent orders to Silas Talbot, who had accepted the perilous command of a fire-brig, to make an attempt on the ships of war that lay in the Hudson, near the present One hundred and twenty-fourth street. At two o'clock in the dark and cloudy morning of the sixteenth, the officer left his hiding-place, three or four miles above Fort Lee, ran down the river under a fair wind, and, grappling the "Renommé," set his brig on fire. He was burned almost to blindness, yet escaped with his crew; the "Renommé" freed itself without injury; but, with

Sept. 15.

16.

CHAP. VII. 1776. Sept. 16.

the other ships of war, quitted its moorings, and went out of the stream.

At a later hour, American troops marched in good order from Fort Washington, and extended their left wing as far as Harlem. As an offset to this movement, Leslie, who commanded the British advanced posts, led the second battalion of light infantry, with two battalions of Highlanders and seven field-pieces, into a wood on the hill which lies east of Bloomingdale road and overlooks Manhattanville. From this detachment two or three companies of light infantry descended into the plain, drove in an American picket, and sounded their bugles in boastful defiance. Engaging their attention by preparations for attacking them in front, Washington ordered Major Leitch with three companies of Weedon's Virginia regiment, and Colonel Knowlton with his volunteer rangers, to prepare secretly an attack on the rear of the main detachment in the wood; and Reed, who best knew the ground, acted as their guide. Under the lead of George Clinton, the American party which engaged the light infantry in front compelled them twice to retreat, and drove them back to the force with Leslie. The Americans in pursuit clambered up the rocks, and a very brisk action ensued, which continued about two hours. Knowlton and Leitch began their attack too soon, on the flank rather than in the rear. Reed's horse was wounded under him; in a little time Leitch was brought off with three balls through his side. Soon after, Knowlton was mortally wounded; in the agonies of death, all his inquiry was, if the enemy had

CHAP. VII. 1776. Sept. 16.

been beaten. Notwithstanding the loss of their leaders, the men resolutely continued the engagement. Washington advanced to their support part of two Maryland regiments, with detachments of New Englanders; Putnam and Greene, as well as Tilghman and others of the general's staff, joined in the action to animate the troops, who charged with the greatest intrepidity. The British, worsted a third time, fell back into an orchard, and from thence across a hollow and up the hill which lies east of the Eighth avenue and overlooks the country far and wide. Their condition was desperate: they had lost seventy killed and two hundred and ten wounded;[1] the Highlanders had fired their last cartridge; without speedy relief they must certainly be cut off. The Hessian yagers were the first of the reënforcements to reach the hill, and were in season to share in the action, suffering a loss of one officer and seven men wounded. "Columns of English infantry, ordered at eleven to stand to their arms, were instantly trotted about three miles, without a halt to take breath;" and the Von Linsing battalion was seen to draw near, while two other German battalions occupied Macgowan's pass. Washington, unwilling to risk a general action, ordered a retreat. This skirmish, in its effects, was almost equal to a victory; it restored the spirit and confidence of the Americans. Their loss was about sixty killed and wounded;

1 "Wenn die Englischen und Hessischen Grenadiers, besonders die Hessischen Jäger nicht zur Hülfe zeitig genug angekommen wären, so wäre keiner von diesen braven leichten Truppen entkommen; sie verloren 70 Todte und 210 Blessirte." From Baurmeister's full and circumstantial report, dated Camp near Hellgate, September 24, 1776.

CHAP. VII. 1776. but among these was Knowlton, who would have been an honor to any country, and Leitch, one of Virginia's worthiest sons.

Sept. 16. Howe would never own how much he had suffered; his general orders rebuked Leslie for imprudence. The result confirmed him in his caution. The ground in front of the Americans was so difficult and so well fortified that he could not hope to carry it by storm; had he by a circuitous route thrown the main body of his army in their rear, he would have left the city of New York and its garrison at Washington's mercy; he therefore waited more than three weeks, partly to collect means of transportation, and partly to form redoubts across the island.

19. During the delay, Lord Howe and his brother, on the nineteenth, in a joint declaration, going far beyond the form prepared by the solicitor-general, promised in the king's name a revision of his instructions and his concurrence in the revisal of all acts by which his subjects in the colonies might think themselves aggrieved; and, appealing from congress, they invited all well-affected subjects to a conference. The paper was disingenuous, for the instructions to the commissioners, which were carefully kept secret, demanded as preliminary conditions grants of revenue and further changes of charters. Washington saw through the artifice. Lord Howe can escape conviction for duplicity, only by supposing that he was duped by his own wishes to misinterpret his powers; but the crafty appeal was wisely timed for its end; for there were signs of despondency and discontent

in the New York counties on the Hudson, in New Jersey, and still more in Pennsylvania. CHAP. VII.

About one o'clock in the morning of the twenty-first, more than five days after New York had been in the exclusive possession of the British, a fire chanced to break out in a small wooden public-house of low character, near Whitehall slip. The weather had been hot and dry; a fresh gale was blowing from the southwest; the fire spread rapidly; and the east side of Broadway, as far as Exchange place, became a heap of ruins. The British troops, angry at the destruction of houses which they had looked upon as their shelter for the coming winter, haunted with the thought of incendiaries, and unwilling to own the consequences of their own careless carousals, seized persons who had come out to save property from destruction, and, without trial or inquiry, killed some with the bayonet, tossed others into the flames, and one, who happened to be a royalist, they hanged by the heels till he died. The wind veering to the southeast, the fire crossed Broadway above Morris street, destroyed Trinity church and the Lutheran church, and, sparing Saint Paul's chapel, extended to Barclay street. The flames were arrested, not so much by the English guard, as by the sailors whom the admiral sent on shore, and who paid themselves by plundering houses that escaped. Of the four thousand tenements of the city, more than four hundred were burnt down. In his report, Howe, without the slightest ground, attributed the accident to a conspiracy. 1776. Sept. 21.

When, after the disasters on Long Island, Wash-

CHAP. VII. 1776. Sept.

ington needed to know in what quarter the attack of the British was to be expected, Nathan Hale, a captain in Knowlton's regiment, a graduate of Yale college, an excellent scholar, comparatively a veteran in the service, having served with Knowlton at Cambridge, but three months beyond one-and-twenty, yet already betrothed, volunteered to venture, under a disguise, within the
21. British lines. Just at the moment of his return, he was seized and carried before General Howe, in New York; he frankly avowed his name and rank in the American army, and his purpose, which his papers confirmed; and, without a trial, Howe ordered him to be executed the following morning as a spy. That night he was exposed to the insolent cruelty of his jailer. The consolation of seeing a clergyman was denied him; his request for a Bible was refused. The more humane British officer who was deputed to superintend his execution furnished him means to write to his mother and
22. to a comrade in arms. On the morning of the twenty-second, as he ascended the gallows, he said: "I only regret that I have but one life to lose for my country." The provost-marshal destroyed his letters, as if grudging his friends a knowledge of the firmness with which he had contemplated death. His countrymen never pretended that the beauty of his character should have exempted him from the penalty which the laws of war imposed; they complained only that the hours of his imprisonment were embittered by barbarous harshness.

The Americans kept up the system of wearing out their enemy by continual skirmishes and

alarms. On the twenty-third, at the glimmer of dawn, in a well-planned but unsuccessful attempt to recapture Randall's island, Thomas Henly, of Charlestown, Massachusetts, "one of the best officers in the army," lost his life. He was buried by the side of Knowlton, within the present Trinity cemetery. CHAP. VII. 1776. Sept. 23.

The prisoners of war, five hundred in number, whom Carleton had sent from Quebec on parole, were landed on the twenty-fourth from shallops at Elizabeth point. It wanted but an hour or two of midnight; the moon, nearly full, shone cloudlessly; Morgan, as he sprung from the bow of the boat, fell on the earth as if to clasp it, and cried: "O my country." They all ran a race to Elizabethtown, where, too happy to sleep, they passed the night in singing, dancing, screaming, and raising the Indian halloo from excess of joy. On hearing that Morgan was returned, Washington hastened his exchange, and recommended his promotion. Next to Washington, Morgan was the best officer whom Virginia sent into the field, though she raises no statue to the incomparable leader of her light troops. 24.

Meantime, the continental government proceeded with the dilatoriness and hesitancy which belonged to the feebleness of its organization. The committee for confederation and that for foreign alliances had been appointed in June, in connection with the committee for declaring independence. Seemingly irreconcilable differences of opinion left congress no heart to continue the work of confederation; Edward Rutledge despaired of success, unless

CHAP. VII. 1776. Sept. 17.

the states should appoint a special convention, to be formed of new representatives, chosen for this purpose alone.

On the seventeenth, after many weeks of deliberation, the members of congress adopted an elaborate plan of a treaty to be proposed to France. Its terms betray the boundlessness of their aspirations and the lurking uncertainty of their hopes. They wished France to engage in a separate war with Great Britain, and by this diversion to leave America the opportunity of establishing her independence. They were willing to assure to Spain freedom from molestation in its territories; they renounced in favor of France all eventual conquests in the West Indies; but they claimed the sole right of acquiring British continental America, and all adjacent islands, including the Bermudas, Cape Breton, and Newfoundland. It was America and not France which first applied the maxim of monopoly to the fisheries: the king of France might retain his exclusive rights on the banks of Newfoundland, as recognised by England in the treaty of 1763; but his subjects were not to fish "in the havens, bays, creeks, roads, coasts, or places," which the United States were to win. In maritime law, the rising nation avowed the principle that free ships impart freedom to goods; that a neutral power may lawfully trade with a belligerent. Privateering was not abolished, but much restricted, and in its worst form was to be punished as piracy. The young republic, in this moment of her greatest need, was not willing to make one common cause with France, nor even

CHAP. VII. 1776. Sept. 17.

to abstain from commerce with England; she only offered not to assist Great Britain in the war on France, nor trade with that power in contraband goods. At most, the commissioners were permitted to stipulate that the United States would never again be subject to the crown or the parliament of Great Britain; and, in case France should become involved in the war, that neither party should make a definitive treaty of peace without six months' notice to the other. The commissioners were further instructed to solicit muskets and bayonets, ammunition, and brass field-pieces, to be sent under convoy by France; and it was added: "It will be proper for you to press for the immediate and explicit declaration of France in our favor, upon a suggestion that a reunion with Great Britain may be the consequence of a delay."

In the selection of the three members of the commission, Franklin was placed at its head; Deane, with whom Robert Morris had associated an unworthy member of his own family as a joint commercial agent in France, was chosen next; to them was added Jefferson, who, early in August, had retired from congress to assist his native state in adapting its code of laws to its new life as a republic. When Jefferson declared himself constrained to decline the appointment, which to him was so full of promise, it was given to Arthur Lee. Thus the United States were to be represented in France, to its people and to the elder House of Bourbon, by a treacherous merchant, by a barrister who, otherwise a patriot, was consumed by malignant envy, and by Franklin, the greatest

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diplomatist of his century. Franklin proposed that the commission should also have power to treat forthwith for peace with England.

The attempt to raise up a navy encountered many difficulties. There was a want of guns, canvas, and ammunition. In the preceding December, congress had ordered the construction of thirteen ships of war, each of which was to carry from twenty-four to thirty-two guns; but not one of them was ready for sea, and the national cruisers consisted of about twelve merchant vessels, purchased and equipped at intervals. The officers, of whom the first formal appointment was made on the twenty-second of December, 1775, and included the names of Nicholas Biddle and John Paul Jones, were necessarily taken from merchant ships. The unfitness of the highest officer in the naval service, as displayed in his management of a squadron which had gone to sea in the spring, had just been exposed by an inquiry, and, in spite of the support of the eastern states, he had been censured by a vote of congress; yet, from tenderness to his brother, who was a member of congress, a motion for his dismissal was obstructed, and a majority ordered the aged and incompetent man to resume the command, which he was sure to disgrace. American privateers, in the year 1776, captured three hundred and forty-two British vessels; and these volunteer adventures were so lucrative, that none of the comparatively few sailors who entered upon the public service would enlist for more than a twelvemonth, and most of them would engage only for one cruise. Hopkins did

not lead his squadron again to sea; but John Paul Jones and others gained honor as commanders of single ships in the public service.

The great need of the country was an effective force on land. Before the middle of June, the committee on spies, of which John Adams and Edward Rutledge were members, were desired to revise the articles of war; yet more than three months elapsed before the adoption of an improved code, formed on the British regulations.

The country was upon the eve of a dissolution of its army; Washington, almost a year before, had foretold to congress the evils of their system with as much accuracy as if he "had spoken with a prophetic spirit." His condition at present was more critical than before, for a larger force was arrayed against him, and the enthusiasm of the people had been deadened by misfortunes and time. An unskilled volunteer is no match for a well-trained veteran. When, under the first impulse of irritated feeling, men fly to arms, the boldest and most energetic are the first to come forward; as the season of cooler reasoning returns, the most forward begin to murmur at the inequality of service for the common good. Levies of militia, poorly equipped, suddenly called for a few weeks from the tender scenes of domestic life, unused to the din of arms, and conscious of their own inexperience and ignorance, are distrustful of themselves when opposed to skilful and well-appointed troops, and fly from the shadow of danger. Unpractised in subordination, they are made more restless by the change of lodging and food; their

CHAP. VII. 1776. Sept. thoughts go back to their families, their fields, their flocks and herds; they begin to repine, and dejection brings on sickness and death, or an unconquerable yearning for home. They cost as much as a regular army of twice their number. Yet raw troops, levied for four months, or even but for one, formed the chief part of Washington's force. The want of good officers was still more to be complained of; especially those from New England did not fitly represent the talent, and military zeal of that part of the country. The war had lasted nearly seventeen months before congress could be partially divested of their dread of a standing army, or give up the idea of primarily relying for defence on the militia of the states nearest the scene of war. At last, on the sixteenth
16. of September, they resolved, that eighty-eight battalions be enlisted as soon as possible to serve during the war; but the inducements which they offered for such enlistment were inadequate; moreover, they devised no way of raising regiments, except by apportioning to the thirteen states their respective quotas; and this reference of the subject to so many separate legislatures or governments could not but occasion a delay of several months, even if the best will should prevail. Congress had no magazines; they therefore further left the states to provide arms and clothing. To complete the difficulty of organizing a national army, they secured to the several states the appointment of all officers, except general officers, even to the filling up of vacancies; so that no discretion was reserved to the commander-in-chief, or formally

even to themselves, to promote the meritorious. Vacancies must remain undisposed of till the states, each for itself, should intervene; and it was feared that those governments would be swayed by the querulous importunities of the least worthy applicants. CHAP. VII. 1776. Sept. 16.

Before he received official notice of the new arrangement, Washington borrowed hours allotted to sleep to convey to congress with sincerity and freedom his thoughts on the proper organization of the army. For himself he wished no recompense but such changes as would enable him to give satisfaction to the public; but, said he, "experience, which is the best criterion to work by, so fully, clearly, and decisively reprobates the practice of trusting to militia, that no man who regards order, regularity, and economy, or his own honor, character, or peace of mind, will risk them upon this issue. The evils to be apprehended from a standing army are remote, and, situated as we are, not at all to be dreaded; but the consequence of wanting one is certain and inevitable ruin. This contest is not likely to be the work of a day; and, to carry on the war systematically, you must establish your army upon a permanent footing." The materials he said were excellent; to induce enlistments for the continuance of the war, he urged the offer of a sufficient bounty; for the officers, he advised proper care in their nomination, and such pay as would encourage "gentlemen" and persons of liberal sentiments to engage: in this manner they would in a little time have an army able to cope with any adversary.

CHAP. VII. 1776. Sept.

These earnest expostulations commanded little more respect from congress than a reference to a committee; three of its members had already been deputed to repair to the camp on Harlem heights, but their mission was attended by no perceptible results; troops continued to be levied by requisitions on the several states, and officers to be nominated by local authorities, without due regard to their qualifications. Washington, therefore, reluctantly bade adieu to every present hope of getting an efficient army; and yet neither the neglect, distrust, and interference of congress, nor the occasional decline of zeal in the people of some of the states, nor the want of able or even of competent subordinates, nor the melting away of his force by the returning home of his troops at the end of their term of enlistment, could ever for one moment make him waver in his purpose of perseverance to the end. No provocation could force from his pen one word of personal petulance, or even the momentary expression of a wish to resign his place.

His reiterated desire that the officers might be selected from among "gentlemen" meant no more than that the choice might fall on men who would be alive to the sense of their responsibility; he befriended and honored true merit wherever it was found. Notwithstanding the warmth of his entreaties for a standing force, Washington always trusted the people; his sympathy with them was perfect, and his abiding judgment of them just; but he wished the men of the people, freeholders, husbands, and fathers, to be trained under able commanders, and

bound to the country and to one another to persevere in arms like himself until their work was done. So it had been in England during the civil wars of the republic. This organization could not be fully attained by the United States, but the people, without being permanently embodied, proved their efficiency by untiring zeal and vigilance and courage; coming forward as militia, they ever remained the chief support of their country, and it was by them that American liberty was asserted, defended, and made triumphant. To undisciplined militia belonged the honors of Concord and Lexington; militia withstood the British at Bunker Hill; by the aid of militia an army of veterans was driven from Boston; and we shall see the unprosperous tide of affairs, in the central states, in the north, and in the south, turned by the sudden uprising of devoted volunteers. Yet, for the time, the bravest had moments of despondency. Robert Morris, the most sanguine of American statesmen, feared that General Howe would not leave time for a diversion from France; "I confess," he wrote, "as things appear to me, the prospect is gloomy."

CHAPTER VIII.

THE COURSE OF OPINION IN ENGLAND.

SEPTEMBER 28—NOVEMBER, 1776.

Sept. In England the national spirit was every day becoming more and more vehement against the Americans; and as their demand had changed from redress to independence, ninety-nine out of one hundred of their old well-wishers desired their subjection. The account of the success on Long Island, received just before the end of September, strengthened the hope that the junction of the armies of Howe and Carleton would reduce the province of New York, restore a legislative government under the crown, dissolve the loosely joined confederacy, and force the colonies to make

Oct. their peace one by one. While Germain attributed "infinite honor to Lord Howe, the all-inspecting admiral so deservedly beloved and admired by men and officers," he strained after words to praise "the inborn courage and active spirit" of General Howe, whom he described as "uniting to the fire

of youth all the wisdom of experience," and whom the king, as a public testimony of favor, on the eighteenth of October, nominated a knight-companion of the order of the Bath. The cause of the Americans seeming now to be lost, Fox wrote to Rockingham: "It should be a point of honor among us all to support the American pretensions in adversity as much as we did in their prosperity, and never desert those who have acted unsuccessfully upon whig principles." CHAP. VIII. 1776. Oct.

The session of parliament was at hand, and the whig party was divided; Rockingham, Burke, and their friends proposed to stay away, assigning as their motive that their opposition did but strengthen the ministry by exhibiting their weakness. Adhering still more closely than ever to the principles of free government, Fox remonstrated with them earnestly and wisely: "I conjure you, over and over again, to consider the importance of the crisis; secession at present would be considered as running away from the conquerors, and giving up a cause which we think no longer tenable." Rockingham and Burke occupied a position which was not tenable; and they were doubtful what policy to choose. To an insurrection that seemed in its last agony they would not offer independence; they therefore kept aloof for the time, willing to step in on the side of mercy when the ministers should have beaten down the rebellion.

The king, as he opened parliament on the thirty-first, derived from the declaration of independence "the one great advantage of unanimity at home;" and he calmed moderate men by expressing his 31.

CHAP. VIII. 1776. Oct. 31.

desire "to restore to the Americans the blessings of law and liberty."

Lord John Cavendish, who divided the house on the address, objected to the policy and the principles of the ministry: "The unhappy differences with the colonies took their rise from parliamentary proceedings; yet, by the fatal omission of parliamentary authority, the commissioners, nominated apparently for peace, have no legal powers but of giving or withholding pardons; and they cannot relax the severity of a single penal act of parliament. The principles operating among the inhabitants of the colonies in their commotions bear an exact analogy with those which support the most valuable part of our constitution; to extirpate them by the sword, in any part of his majesty's dominions, would establish precedents the most dangerous to the liberties of this kingdom." Johnstone justified the Americans, and railed at the king's speech as a compound of hypocrisy. "It is impossible for this island to conquer and hold America," said Wilkes; "we must recall our fleets and armies, repeal all acts injurious to the Americans, and restore their charters, if we would restore unity to the empire." It was said in debate, that the ministry had only the option of abandoning America or carrying it by the sword. "No," said Lord North, "the first measure will be for some of the colonies to break off from the general confederacy. Reconciliation has constantly been my object; it is my wish to use victory with moderation rather than as an object of triumph." The house was reminded by Barre that both

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France and Spain might interfere. Germain replied: "Do you suppose the House of Bourbon would like to have the spirit of independence cross the Atlantic, or their own colonists catch fire at the unlimited rights of mankind? They will not be so blind to their own interests. General Howe will put New York at the mercy of the king; after which the legislature will be restored." "Administration," said Fox, "deserve nothing but reproach for having brought the Americans into such a situation that it is impossible for them to pursue any other conduct than what they have pursued. In declaring independence they have done no more than the English did against James the Second. The noble lord who spoke last prides himself on a legislature being reëstablished in New York; it has been very well said that the speech is a hypocritical one; in truth, there is not a little hypocrisy in supposing that a king," — and he made the allusion more direct, by ironically excepting George the Third, as one who really loved liberty, — "that a common king should be solicitous to establish anything that depends on a popular assembly. Kings govern by means of popular assemblies, only when they cannot do without them; to suppose a king fond of that mode of governing, is to suppose a chimera. It cannot exist. It is contrary to the nature of things. But if this happy time of law and liberty is to be restored to America, why was it ever disturbed? It reigned there till the abominable doctrine of gaining money by taxes infatuated the heads of our statesmen. Why did you destroy the

CHAP. VIII. 1776. Oct. 31. fair work of so many ages, in order to reëstablish it by the bayonets of disciplined Germans? If we are reduced to the dilemma of conquering or abandoning America, I am for abandoning America."

This intrepid concession of independence to the colonies thrilled the house of commons. "I never in my life heard a more masterly speech," said Gibbon. "I never knew any one better on any occasion," said Burke.

Nov. 2. The division left the ministry in the undisputed possession of power in parliament, and confident of early success in reducing America; but letters from General Howe to the twenty-fifth of September, which were received by Germain late at night on Saturday the second of November, crushed their hopes of an easy triumph. The occupation of New York city and of Paulus-hook was announced; but it was plainly seen that the further progress of the army for the season was precarious; that the second division of Hessians had not arrived; that the loyalists among the Americans were not disposed to serve in the war; that Albany was safe, unless Burgoyne should march upon it with the aid of Indians; that there would be no junction with Carleton; that Washington was too strongly posted to be attacked in front, and that there were innumerable difficulties in the way of turning him on either side; that there was not the smallest prospect of finishing the contest this campaign; and that success in the next was to be hoped only from such vast preparations as would preclude all thoughts of further resistance. For

this end General Howe asked for ten line-of-battle ships with supernumerary seamen to join the fleet in February, and for an indefinite number of recruits from Europe. CHAP. VIII. 1776. Nov.

These demands were embarrassing; Germain must either meet them, which was impossible, or admit the prospect of failure in the next year. These gloomy forebodings he kept to himself, though his runners about town were taught to screen the ministry by throwing the blame of delays upon Clinton, Carleton, Howe, and others, as mad or ignorant, rash or inactive; but he could not conceal the second public declaration of the commissioners, in which the two brothers pledged the ministers to concur in the revisal of all the acts of parliament by which the Americans were aggrieved. To test the sincerity of this offer, Lord John Cavendish, on the sixth, moved that the house should resolve itself into a committee to consider of that revisal. The motion perplexed Lord North, who certainly did not wish to root up every chance of reconciliation; but the momentary exigency of the debate outweighed the consideration of a remote people, and forced him to say: "I will never allow the legislative claims of this country to be a grievance, nor relax in pursuing those claims, so long as the Americans, as subjects or independent states, dispute our power and right of legislation. Let them acknowledge the right, and I shall be ready, not only to remedy real grievances, but even, in some instances, to bend to their prejudices." In this manner the prime minister, with his eyes wide open to the

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impending calamities, suffered himself to be the instrument of the system which in his heart he at that very time condemned as fraught with mischief to the king and to the country. Fox directed attention to the two principal grievances which needed revision: the assumption of power to raise taxes, and of power to modify or annihilate charters at pleasure. "It is impossible," replied Wedderburn, "to enter upon the question of taxation and charters as a means of reconciliation; the one preliminary point which must be settled is independence; till the spirit of independency is subdued, revisions are idle; the Americans have no terms to demand from your justice, whatever they may hope from your grace and mercy." Lord John Cavendish, on the division, obtained less than fifty votes.

From this time, Burke and the friends of Rockingham made an ostentatious display of their secession from parliament: they attended in the morning on private business, but so soon as public business was introduced, they made a bow to the speaker and withdrew; leaving the ministers to carry their measures without opposition or debate. But this policy did not suit the ardent genius of Fox, whose sagacity and fearlessness had now made him, at twenty-seven, the most important member of the house of commons.

The character of this unique man was not a chapter of contradictions; each part of his nature was in harmony with all the rest. With talents, good-nature, and truthfulness, he had no restraining principles, and looked down with contempt on those who had. Priding himself on ignorance of

every self-denying virtue, an adept in debauch and vain of his excesses, he feared nothing. Unlucky at the gaming-table beyond all calculation of chances, draining the cup of pleasure to the dregs, fond of loose women and beloved by them, the delight of profligates, the sport of usurers, impoverished by his vices, he braved scandal, and gloried in a lordly recklessness of his inability to pay his debts, as if superb ostentation in misfortune raised him above all his fellow-men. He had a strong will; but he never used it to bridle his passions, even though their indulgence wronged his own father, or corrupted his young admirers. Born to wealth and rank and easy access to the service of the king, at heart an aristocrat, he could scoff at monarchy and hold the language of a leveller and a demagogue. He loved poetry and elegant letters, the songs of Homer above all; but science was too dull for him, and even the style and lucidity and novelty of Adam Smith could not charm the licentious, rollicking statesman to the study of political economy. His uncurbed licentiousness seemed rather to excite than to exhaust his lofty powers; his perceptions were quick and instinctively true; and in his wildest dissipation he retained an unextinguishable passion for activity of intellect. Living as though men and women were instruments of pleasure, he yet felt himself destined for great things, and called forth to the service of mankind. To be talked about, he would stake all he had and more on a wager; but the all-conquering instinct of his ambition drove him to the house of commons. There his genius

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was at home; and that body cherished him with the indulgent pride which it always manifests to those who keep up its high reputation with the world. A knotty brow, a dark brown complexion, thick, shaggy eyebrows, and a compact frame marked a rugged audacity and a commanding energy, which made him rude and terrible as an adversary; but with all this he had a loveliness of temper which so endeared him to his friends that the survivors among them never ceased the praise of the sweetness and gentleness of his familiar intercourse. It was natural to him to venerate greatness like Edmund Burke's; and a wound in his affections easily moved him to tears. His life was dissolute; his speech was austere. His words were all pure English; he took no pains to hunt after them; the aptest came at his call, and seemed to belong to him. Every part of his discourse lived and moved. He never gave up strength of statement for beauty of expression; and never stopped to fill up gaps with fine phrases. His healthy diction was unaffectedly simple and nervous, always effective, sometimes majestic and resounding, rarely ornate, and then only when he impressed a saying of poet or philosopher to tip his argument with fire. He never dazzled with brilliant colors, but could startle by boldness in the contrast of light and shade. He forced his hearers to be attentive and docile; for he spoke only when he had something to say that needed to be said, and compelled admiration because he made himself understood. What was entangled he could unfold quickly and lucidly; now speaking

with copious fluency, and now discussing point by point; at one time confining debate within the narrowest limits, and again speaking as if inspired to plead the welfare of all mankind. He had a wonderful gift at finding and bringing together what he wanted, though lying far off and apart. It was his wont to march straight forward to his end; but he knew how to turn aside from an attack, to retreat with his eye ever on his enemy, and then, by an unexpected reversion, to strike him suddenly as with talons. When involved in dispute, he dashed at the central idea, which was of power to decide the question; grasped it firmly and held it fast; turned it over and over on every side; presented it in the most various aspects; came back to dwell upon it with fresh force; renewed blow after blow till it became annealed like steel. He hit the nail again and again, and always on the head, till he drove it home into the minds of his hearers; and when he was beaten by the majority, he still bore away the palm as a wrestler. His merits, as summed up by Mackintosh, were "reason, simplicity, and vehemence."

Yet Fox was great only as a speaker; nay, his sphere was still narrower: he was great only as a speaker in the house of commons, and there great only as a speaker in opposition. He was too skilful in controversy to be able to present the connections and relations of events with the comprehensive fairness of an historian; and his strength went out from him when he undertook only to tell what had been done. He failed as a statesman, not from defect of heart, but from the uncer-

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tainty which attends the want of fixed principles, and which left him exposed to the allurements of any promising coalition; but he was the very man to storm a citadel. In running down a ministry, his voice hallooed on the pack, and he was sure to be the first in at the death. And now, in the house of commons, this master of debate had declared for the independence of the United States.

CHAPTER IX.

THE BORDER WAR IN THE NORTH AND IN THE SOUTH.

JULY—NOVEMBER, 1776.

ALL hopes of an early subjugation of "the rebels" were growing dim. Subordinates in Canada paid court to the "confidential circle" of Germain by echoing censures of Carleton, especially that he had chilled the zeal of the Indians by forbidding them to pass the boundary of his province.

Early in September, Hamilton, the lieutenant-governor of Detroit, wrote from his district directly to the secretary of state, promising that small parties "of the savages assembled" by him "in council," "chiefs and warriors from the Ottawas, Chippewas, Wyandots, and Potawatomies," with the Senecas, would "fall on the scattered settlers on the Ohio" and its branches; and he checked every impulse of mercy towards the Americans, by saying that "their arrogance, disloyalty, and imprudence had justly drawn upon them this deplorable sort of war." The British people were guiltless of

16.

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these outrages; it was Germain and his selected agents who hounded on the savages to scalp and massacre the settlers of the new country, enjoined with fretful restlessness the extension of the system along all the border from New York to Georgia, and chid every commander who showed signs of relenting.

In 1769, Carleton had urged the ministry to hold the line of communication between the Saint Lawrence and New York, as the means of preventing a separation of the colonies; he now looked upon the office of recovering that line as reserved of right for himself. In the next year's campaign he proposed to advance to Albany; for the present he designed only to acquire the mastery of Lake Champlain, and did not imagine that the government wished for more. In constructing vessels of war on these waters, the Americans had the advantage in nothing but time; their skilful ship-builders were elsewhere crowded with employment in fitting out public vessels and privateers; the scanty naval stores which could be spared had to be transported from tide-water to the lake, over almost impassable roads; and every stick of timber was to be cut in the adjacent woods. When determined zeal had constructed a fleet of eight gondolas, three row-galleys, and four sloops or schooners, there were no naval officers nor mariners nor gunners to take charge of them. The chief command fell on Arnold, a landsman; his second was Waterbury, a brigadier in the Connecticut militia; the crews were mostly soldiers.

On the other hand, Carleton was aided by con-

structors from England, from the fleet in the Saint Lawrence, and from the province of Quebec. The admiralty contributed naval equipments and materials for ship-building in abundance; it sent from the British yards three vessels of war, fully prepared for service, in the expectation that they could be dragged up the rapids of the Richelieu; two hundred or more flat-boats were built at Montreal and hauled to Saint Johns, whence a deep channel leads to the lake. The numerous army, composed in part of the men of Brunswick and of Waldeck, were most amply provided with artillery, and were flushed with confidence of easy victory. But while the vessels and transports were being built, or transferred to Lake Champlain, the troops for nearly three months were trained as sharp-shooters; were exercised in charging upon imagined enemies in a wood; were taught to row. They became familiar with the manners of the savage warriors, of whom four hundred in canoes were to form their van on the lake; and they loved to watch the labors of the boat-builders. An attempt was made to drag the large vessels by land round the portage of the Richelieu; but it was given up, as too costly and too slow, after they had been moved a hundred paces, and they were taken in pieces, to be reconstructed at Saint Johns. The work went forward with unexpected rapidity. The "Inflexible," which was three-masted, and carried eighteen or twenty twelve-pounders and ten smaller guns, was rebuilt in twenty-eight days after its keel was laid. About seven hundred sailors, and the best young naval officers, were

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picked from the ships of war and transports to man and command the fleet.

Oct. 4. Till October, Arnold roamed the lake without a check; on the fourth of that month, Carleton began

10. his cautious advance; on the tenth, all his fleet was in motion. Arnold, whose judgment did not equal his courage, moored his squadron in the bay between Valcour island and the main. This choice of a station met with the warm approval of General Gates; but one more absurd or more dangerous could not have been made, for it left the great channel of the lake undisputed to his ene-

11. mies, who, on the morning of the eleventh, with a wind from the northwest, passed between Great and Valcour islands, and came into his rear. They had much more than twice his weight of metal, twice as many fighting vessels, and skilled seamen and officers against landsmen. He awoke too late to the hopelessness of his position; but his audacity did not fail him; forming a line at anchor from Valcour to the main, he advanced in the schooner "Royal Savage," supported by his row-galleys. The wind favored him, while it kept off the "Inflexible," which was already to the south of him; but the "Carleton" was able to get into action, and was sustained by the artillery-boats. Of these, one was sunk, though its men were saved; but the best seamanship and gunnery gained the advantage; the galleys were driven back; the "Royal Savage," crippled in its masts and rigging, fell to the leeward, and was stranded on Valcour island, whence Arnold, with the crew, made his way to the "Congress." Meantime the "Carleton,"

accompanied by the artillery-boats, had the daring to beat up against the breeze, till it came within musket-shot of the American line, when it opened fire from both sides. The "Congress," on which Arnold was obliged to act as gunner, was hurt in her main-mast and yards, was hulled twelve times, and hit seven times between wind and water; the gondola "New York" lost all her officers except her captain; in the "Washington," the first lieutenant was killed, the captain and master wounded, the main-mast shot through so that it became useless. A gondola was sunk. Of the British artillery-boats, one, or perhaps two, went down. The "Carleton," which, owing to the wind, could receive no succor, suffered severely; Dacres, its captain, fell senseless from a blow; Brown, a lieutenant of marines, lost an arm; but Pellew, a lad of nineteen, who succeeded to the command, carried on the fight, to prevent Arnold's escape. Just before dark, when sixty or more of the Americans and forty or more of the British had been killed or wounded, the artillery-boats, on the signal of recall, towed the "Carleton" out of the reach of shot. At eight in the evening, the British fleet anchored, having their left wing near the mainland, the right near Valcour island, with several armed boats still further to the right, to guard the passage between Valcour and Great island; and they were confident that at the dawn of the next day all the "rebel" vessels must be captured or destroyed. Arnold and his highest officers, Waterbury and Wigglesworth, saw no hope but in running the blockade. It was the night of the new

CHAP. IX. 1776. Oct. 11. moon, and the air was hazy; an hour or two before midnight they had the dauntless hardihood to hoist anchor silently in the thick darkness; Wigglesworth, in the "Trumbull," led the retreat; the gondolas and small vessels followed; then came Waterbury in the "Washington," and, last of all, Arnold in the "Congress;" and, having a fair wind, they stole unobserved through the British fleet, close to its left wing.

12. When day revealed their wonderful escape, Carleton could not restrain his anger. Advancing slowly
13. against a southerly breeze, in the morning of the thirteenth he came in sight of the fugitives near the island of Four Winds; at half-past twelve he was near enough to begin a cannonade. Waterbury wished to run his ship ashore; but Arnold hoped still for a chance to give battle. At half-past one the wind came suddenly out of the north, striking the British sails first; the "Washington" was overtaken near Split Rock, and compelled to strike; the "Congress," with four gondolas, keeping up a running fight of five hours, suffered great loss, and was chased into a small creek in Panton on the east side of the lake. To save them from his pursuers, Arnold set them on fire, with their colors flying. The last to go on shore, he formed their crews, and, in sight of the English ships, marched off in perfect order. His fame for courage rose higher than before, but at the expense of a fleet, which he had recklessly sacrificed without public benefit.

Carleton reproved his prisoners for engaging in the rebellion, found an excuse for them in the

orders of the governor of Connecticut, whose official character the king still recognised, and dismissed them on their parole. 1776. Oct.

On the fourteenth, he landed at Crown Point. 14.
Master of the lake, he was within two hours' sail of Ticonderoga, which had for its garrison not more than three thousand effective men, with twenty-five hundred more at Mount Independence, the new post on the eastern side of Lake Champlain. Had he pushed forward and invested the place, it must have surrendered for want of provisions. But he never for a moment entertained such a design; to Riedesel, who joined him on the twenty-second, he announced his intention to take 22.
back the army into winter-quarters in Canada. Riedesel went near enough to Ticonderoga to see it from a hill, and was persuaded that it could easily be taken; but Carleton, who did not know that he was already superseded by Burgoyne, reserving that conquest for a glorious opening of his next campaign, waited only for tidings from Howe. News of the battle on Long Island reached him on the twenty-seventh; and on the next day his army 27, 28.
began its return. On the third of November, his Nov.
rear-guard abandoned Crown Point. 3. Many British officers were astonished at his precipitate retreat, which seemed to the Americans a shameful and unaccountable flight. Three days later, there was 6.
not one barrel of flour in Ticonderoga. The Connecticut militia soon returned home; the garrison, which was left by Gates under the command of Wayne, a gallant young colonel, consisted nominally of only twenty-five hundred men; but the

CHAP. IX. 1776. Nov. sick were very numerous, and perishing in misery; and all suffered for want of clothing. The term of the Pennsylvanians was to expire on the fifth of January; and they were unwilling to reënlist before returning home.

July. When Moultrie and his brave garrison had repulsed the attack on the south, Lee at Charleston, in the utmost haste, used his undeserved glory to extort from congress in advance an indemnity for the possible forfeiture of his property in England; and Rutledge, the president of the state to which he had seemingly rendered the greatest service, fearing his disgust, or some other ill consequence, consented to ask that "the enthusiast" might be gratified with thirty thousand dollars.

In July, Jonathan Bryan of Savannah, on the evening of his arrival at Charleston, persuaded Lee, to whom he was a stranger, that Saint Augustine, and with it East Florida, could easily be taken. Without further reflection or inquiry, Lee, the next morning, announced to the continental troops on parade, that he had planned for them a safe, sure, and remunerative expedition, of which the very large booty should all be their own. He called it a secret one, but let everybody know its destina-

August. tion. In the second week of August, when the heavy dews, the heat, and exhalations from the rice-fields filled the air with death, he hastily marched off the Virginia and North Carolina troops, without one necessary article, without a field-piece, or even a medicine-chest. Howe of North Carolina and Moultrie soon followed; and about four hundred and sixty men of South Caro-

lina, with two field-pieces, were sent to Savannah by water along the inland route. On the eighteenth, Lee reviewed his collective force and a Georgia battalion on the green at Yamacraw, and, in a few days, advanced the Virginia regiment and a part of the troops of South Carolina to Sunbury. There nearly all the officers, even those from South Carolina, were seized by a violent fever, and fourteen or fifteen men were buried each day; especially, the noble battalion from the valley of Virginia, pining for the pure air of the Blue ridge, was thinned by sickness and death. By this time Lee sought to shift from himself to Moultrie the further conduct of the expedition; and Moultrie could only reply, that there were no available resources which could render success possible. No enterprise during the war showed such want of judgment in its designing, or of executive ability in its conduct. Early in September came the order from congress directing Lee to repair to the north, to become commander-in-chief in case of mishap to Washington; he at once began the journey, taking with him all his continental force; but importunities at Charleston wrung from him leave for the North Carolina troops to stay behind.

CHAP. IX. 1776. August. Sept.

Lee, at his departure, left a fearful contest raging in the mountains of the two Carolinas and Georgia. It was the fruit of the elaborately concerted plan to bring down upon defenceless frontiers an enemy whose manner of warfare was the indiscriminate murder of men, children, and women. The Cherokees heard with amazement that war raged between their father over the

July.

CHAP. IX. 1776. July.

water and their elder brothers of the Carolinas, for a war between men speaking the same language was unknown to them; but Cameron and Stuart, British agents, well skilled in the methods of inflaming the savages, and having an almost unlimited credit on the British exchequer, swayed them by lavish largesses, the hopes of spoil, the promise of aid from a British army by way of Pensacola, and the desire of extending their hunting-grounds over wasted settlements. The settlers on the Watauga and the forks of the Holston had been tempted to adhere to the party of the crown; but, with few exceptions, the men of what is now eastern Tennessee were faithful to the patriot cause. Twice they received warning from the Overhill Cherokees to remove from their habitations; but the messenger brought back a defiance, and threats from the district then called Fincastle county in Virginia. So stood the Cherokees when a deputation of thirteen or more Indians came to them from the Six Nations, the Shawnees and Delawares, the Mingoes, and the Ottawas. The moment, they said, was come, to recover their lost lands. The Shawnees produced their war-tokens, of which the young Cherokee warriors laid hold, showing in return a war-hatchet received about six years before from the northern Indians. When the news of the arrival of Clinton and Cornwallis off Charleston reached the lower settlements of the Cherokees, they took up the war-club, and on each side of the mountains all their warriors, twenty-five hundred in number, prepared for deeds of blood. The Overhills collected a thousand skins for moc-

casins, and beat their maize into flour. A few whites were to go with them to invite all the king's men to join them; after which they were to kill and drive all whom they could find. While Henry Stuart was seeking to engage the Choctaws and Chickasaws as allies, the Cherokees sent a message to the Creeks with the northern war-tokens; but that powerful nation stood in fear of the Americans, and returned for answer that "the Cherokees had plucked the thorn out of their foot, and were welcome to keep it." The rebuff came too late; at the news that the lower settlements had struck the borders of South Carolina the war-song was everywhere sung; the wily warriors of all the western settlements fell upon the inhabitants of eastern Tennessee, and roved as far as the cabins on Clinch river and the Wolf-hills, which we now call Abingdon. The common peril caused a general rising of the people of eastern Tennessee and southwestern Virginia, of North Carolina and the uplands of South Carolina. The Overhills received a check on the twentieth of July at the Island Flats, in what Haywood, the venerable historian of Tennessee, calls a "miracle of a battle," for not one white man was mortally wounded, while the Cherokees lost forty. The next day, a party was repulsed from Fort Watauga by James Robertson and his garrison of forty men. Colonel Christian, with Virginia levies, joined on their march by troops from North Carolina and Watauga, soon made themselves masters of the upper settlements on the Tellico and the Tennessee; but when the Cherokees sued for peace, the avenging

CHAP. IX. 1776. July.

party granted it, except that towns like Tuskega, where a captive boy had lately been burnt alive, were reduced to ashes.

The warriors of the lower settlements, who began the war, at daybreak on the first of July poured down upon the frontiers of South Carolina, killing and scalping all persons who fell into their power, without distinction of age or sex. The people had parted with their best rifles to the defenders of Charleston; and now flew for safety to stockade forts. The Indians were joined by the agent Cameron and a small band of white men, who crossed the mountains to promote a rising of the numerous loyalists in upper South Carolina. Eleven hundred men of that state, under the lead of Williamson, August. made head against the invaders, and, in August, destroyed the Cherokee towns on the Keowee and the Seneca and on the one side of the Tugaloo, while a party of Georgians laid waste those on the other. Then, drawing nearer the region of precipices and waterfalls, which mark the eastern side of the Alleghanies, his army broke up the towns on the Whitewater, the Toxaway, the Estatoe, and in the beautiful valley of Jocassa, leaving not one to the east of the Oconee mountain. The outcasts, who had so lately been engaged in scalping and murdering, fled to the Creeks, whose neutrality was respected.

Sept. In September, leaving a well-garrisoned fort on the Seneca, and marching up War-woman's creek, Williamson passed through Rabun gap, destroyed the towns on the Little Tennessee as far as the Unica mountain, and then toiled over the dividing

ridge into the Hiwassee valley, sparing or razing the towns at his will. There he was joined by Rutherford of North Carolina, who had promptly assembled in the district of Salisbury an army of more than two thousand men, crossed the Alleghanies at the Swannanoa gap, forded the French Broad, and, by the trace which still bears his name, penetrated into the middle and valley towns, of which he laid waste six-and-thirty. "The Cherokees," wrote Germain, in November, to his trusty agent, "must be supported, for they have declared for us; I expect with some impatience to hear from you of the success of your negotiation with the Creeks and Choctaws, and that you have prevailed on them to join the Cherokees. I cannot doubt of your being able, under such advantageous circumstances, to engage them in a general confederacy against the rebels in defence of those liberties of which they are so exceedingly jealous, and in the full enjoyment of which they have been always protected by the king." But the Choctaws never inclined to the war; the Chickasaws seasonably receded; the Creeks kept wisely at home; and dearly did the Cherokees aby their rising. Before Germain's letter was written, they were forced to beg for mercy. At a talk in Charleston, in February, 1777, the Man-killer said: "You have destroyed my homes, but it is not my eldest brother's fault; it is the fault of my father over the water;" and at the peace in the following May, they gave up all their lands as far as the top of the Oconee mountain.

Nor was the overawing of the wild men the

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only good that came out of this bootless eagerness of the British minister to crush America by an Indian confederacy: henceforward the settlers of Tennessee with oneness of heart upheld American independence; and putting all their feelings and all their mind into one word, they named their district WASHINGTON.

CHAPTER X.

WHITE PLAINS.

October 1—28, 1776.

For nearly four weeks Washington and the main body of his army remained on the heights of Harlem. The uneven upland, little more than a half-mile wide, and except at a few points less than two hundred feet above the sea, falls away precipitously towards the Hudson; along the Harlem river, it is bounded for more than two miles by walls of primitive rock or declivities steep as an escarpment. Towards Manhattanville, it ended in pathless crags. There existed no highway from the south, except the narrow one which, near the One hundred and forty-fourth street, yet winds up Breakneck hill. The approach from that quarter was guarded by three parallel lines, of which the first and weakest ran from about the One hundred and forty-eighth street on the east to the One hundred and forty-fifth on the west; the second was in the rear, at the distance of two fifths of

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a mile; the third, one quarter of a mile still further to the north; so that they could be protected, one from another, by musketry as well as cannon. A little further than the third parallel the house which Washington occupied stood on high ground overlooking the plains, the hills above Macgowan's pass, the distant city, the bay, and its islands.

North of head-quarters, the land undulates for yet a mile, to where Mount Washington, its highest peak, rises two hundred and thirty-eight feet over the Hudson. The steep summit was crowned by a five-sided earthwork, mounting thirty-four cannon, but without casemates, or strong outposts.

Just beyond Fort Washington the heights cleave asunder, and the road to Albany, by an easy descent, passes for about a mile through the rocky gorge. Laurel hill, the highest cliff on the Harlem side, was occupied by a redoubt; the opposite hill, near the Hudson, known afterwards as Fort Tryon, was still more difficult of access. Thence both ridges fall abruptly to a valley which crosses the island from Tubby-hook. Beyond this pass, the land to Kingsbridge on the right is a plain and marsh; on the left, a new but less lofty spur springs up, and runs to Spyt den Duyvel creek, by which the Harlem joins the Hudson. This part of New York island was defended by Fort Independence, on the high ridge north of Spyt den Duyvel; a series of redoubts guarded Fordham heights, on the east bank of the Harlem; an earthwork was laid out above Williams' bridge; and on the third of October a guard of riflemen

had their alarm-post at the pass from Frog's neck. Greene, who was fast gaining a name among the statesmen of New York as "beyond a doubt a first-rate military genius," and "in whose opinion Washington placed the utmost confidence," commanded a body in Jersey, at Fort Lee, on the summit of the palisades, where they were seventy-three feet higher than Fort Washington. The obstructing of the Hudson between Fort Lee and Fort Washington was intrusted to Putnam, who promised perfect success through an invention of his own.

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If Howe could force the Hudson and get to the north of New York island, the American army would be caged, and compelled to surrender or fight under the greatest disadvantage. Against this danger Washington was on his guard; but with the Hudson obstructed, with Greene above the palisades of Jersey, with Lee, who was looked for every day, in command on Fordham heights, he would have awaited an attack from the south, for an assault from that quarter would not have menaced his communications. "If the enemy should not change their plan of operations," so he wrote to a friend, "and if the men will stand by me, which I despair of, I am resolved not to be forced from this ground while I have life."

During this suspense, many of the states were moulding the forms of their new governments, so as to fix in living institutions the thoughts of the American people on the freedom of conscience, the independence of religion, the legal equality of opinions, the safest guardianship of the principles

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of social order. How would the human race have suffered, had their experiments been suppressed!

The army sighed for the coming of Lee, not knowing that he had advised to give up the forts in Charleston harbor without firing a gun. He loomed as the evil genius of Clinton, whom he seemed to have faced at New York, in Virginia, and in North Carolina, and, with vastly inferior numbers, to have driven with shame from South Carolina. A New York officer wrote: "He is hourly expected, as if from heaven with a legion of flaming swordsmen." "His arrival," said Tilghman, the most faithful member of Washington's staff, "will greatly relieve our worthy general, who has too much for any mortal upon his hands." "Pray hasten his departure; he is much wanted," was the message of Jay to a friend in Philadelphia. Yet Lee, with all his ill-concealed aspirations, had not one talent of a commander. He never could see anything in its whole, or devise a comprehensive plan of action, but, by the habit of his mind, would fasten upon some detail, and always find fault. Moreover, he was proud of being an Englishman, and affected, by the right of birth, to look down upon his present associates, whom he thought to be "very bad company;" for he had the national pride of his countrymen, though not their loyalty; the disdain of other nations, without devotedness to his own. His alienation from Britain grew out of petulance at being neglected; and had a chance of favor been thrown to him, no one would have snapped more swiftly at the bait. He esteemed the people into

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whose service he had entered as unworthy[1] of a place among the nations; their declaration of independence jarred on his feelings; and if, by fits, he played the part of a zealot in their cause, his mind, after every swing, came back to his first idea, that they had only to consider how they could, "with safety, glory, and advantage, return to their former state of relation."[2] He used afterwards to say, that "things never would have gone so far, had his advice been taken;" and he reconciled himself to the declaration of independence by the Americans, only that they might have something "to cede" as the price of "accommodation."[3]

On the seventh of October, Lee appeared before the continental congress in Philadelphia, and obtained the coveted grant of thirty thousand dollars as an indemnity against apprehended losses in England. Aware of his designation to the chief command in case of a vacancy, he looked upon himself as already the head of a party, fretted more than ever at his subordinate position, and wearied congress with clamor for a separate army on the Delaware; but they proved deaf to his cries, and sent him to the camp of Washington, while he in return secretly mocked at them as "a stable of cattle that stumbled at every step."

[1] C. Lee to B. Rush, Dec. 4, 1775, in my MS. collections, printed in Moore's Lee, 99.

[2] C. Lee to Robert Morris, Jan. 23, 1776, printed in Reed's Reed, i. 155, 156, note.

[3] "When the idea of a declaration of independence was first started, I confess I had my doubts and feelings; but at length I considered that unless America declared herself independent, she had nothing to cede which would not go to her vitals on accommodation; these were my principles, and on these principles I conducted myself." C. Lee to Robert Morris. MS. letter, of which I have an authentic copy.

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Lee had left at Annapolis a rumor of his having "advised that now was the time to make up with Great Britain," and of having promised for that end to "use his influence with congress;"[1] the convention of Maryland chimed in with his timidity, and, notwithstanding the declaration of independence, were still ready to come to terms, as they expressly voted in November.

On that question Pennsylvania was divided. At the same time its convention, composed of new men, and guided mainly by a schoolmaster, the honest but inexperienced James Cannon, formed a constitution, under the complex influence of abstract truths and an angry quarrel with the supporters of the old charter of the colony. It extended the elective franchise to every resident tax-payer; while, with the approbation of Franklin, it concentrated legislative power in a single assembly. Moreover, that assembly, in joint ballot with a council whose members were too few to be of much weight in a decision by numbers, was to select the president and vice-president. The president, who stood in the place of chief magistrate, had no higher functions than those of the president of a council-board. This constitution, which was a mortal offence to the old proprietary party and a stumbling-block to the men of wealth, and which satisfied neither the feelings nor the intuitions nor the reflective judgment of a numerical

[1] Deposition of D. Evans, in Force, ii. 1006; confirmed by Lee in his letter to congress of Oct. 10, 1776, in Force, ii. 972: "other provinces I have passed through;" and by the vote of the convention of Maryland of Nov. 10.

majority in the state, was put in action without being previously submitted to the citizens for ratification; and it provided no mode for its amendment but through the vote of two thirds of all persons elected to a board of censors, which was to be chosen for one year only in seven. It could have no place in the heart of the people, and was acceptable only as the badge of a revolution; yet from every elector, before his vote could be received, an oath or affirmation was required that he would neither directly nor indirectly do anything injurious to it as established by the convention. This requirement, which disfranchised a large part of the inhabitants, especially of the Quakers, was loudly execrated, and rent the state into embittered domestic factions. To the proprietary party, which had retained a majority in the regular colonial assembly, the new government was hateful as a usurpation; and to Robert Morris, Cadwalader, Rush, Wayne, and many others of "the best of the whigs," the uncontrolled will of a single legislative assembly, which might be biased by the delusions of selfishness or moved by fickle moods of passion, appeared as a form of tyranny; while the want of executive energy took away all hope of employing the resources of the state with earnestness and unanimity. In the very presence of the continental congress, the spirit of a counter-revolution lurked among the inhabitants of Philadelphia; their lukewarm officers in the army threw up their commissions: William Allen, from disgust at the new system; Shee, the good disciplinarian, from an avowed want of fortitude; Reed, the

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adjutant-general, knowing full well "the most ruinous consequences" of resignations, and concealing his own from Washington. The yearning for peace, and a dread of loss by the depreciating paper currency, wrecked the small remains of courage of John Dickinson;[1] a majority would have eagerly rushed into a negotiation with the Howes, had their powers been less confined; and there existed "a considerable party for absolute and unconditional submission," which derived aid from the scruples of the Quakers to bear arms, or to promise allegiance to the new constitution.

Aware of the wavering in Pennsylvania, Lee, on his way through New Jersey, found much that was congenial with his own inclination "to condemn the Americans for continuing the contest." The constitution of that state was self-annulled, "if a reconciliation between Great Britain and the colonies should take place;" the president of the body which framed it opposed independence to the last, and still leaned to a reunion with Britain; the highest officers in the public service were taken from those who had stood against the disruption; the assembly had adjourned on the eighth "through mere want of members to do business,"[2] leaving unfinished almost everything which they should have done; the open country could not hope for success in resisting an invading army; "the tories, taking new life, in one of the largest counties were circulating papers for subscription,"

[1] MS. letters, of which I have copies; as well as the documents in Force, iii. 1255, 1294, 1370.

[2] J. D. Sergeant to S. Adams, Oct. 9, 1776. MS. letter.

complaining of the declaration of independence, because it was a bar to a treaty. With the alleged concurrence of "the most active friends to the cause in New Jersey, and the other provinces he had passed through," Lee, from Princeton, seized this opportunity to propose that congress should authorize an offer to open a negotiation with Lord Howe on his own terms.

The proposal was unheeded. Washington at this time, "bereft of every peaceful moment, losing all comfort and happiness," and least of all thinking that any one could covet his office, was watching the effects of the wilfulness of congress in delaying to raise an army, seeing on the one side the impossibility of doing any essential service to the cause by continuing in command, and on the other the inevitable ruin that would follow his retirement. "Such is my situation," said he, privately, "that if I were to wish the bitterest curse to an enemy on this side of the grave, I should put him in my stead with my feelings." Again he addressed congress: "Give me leave to say, your affairs are in a more unpromising way than you seem to apprehend; your army is on the eve of its dissolution. True it is, you have voted a larger one in lieu of it; but the season is late, and there is a material difference between voting battalions and raising men." But with this warning in their hands, they were still confident of a respite from danger for the winter. "The British force is so divided, they will do no great matter more this fall," said John Adams, the chairman of the board of war; and though officially informed

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that the American army would disband, that all the measures thus far adopted for raising a new one were but fruitless experiments, he asked and obtained leave of absence at the time when there was the most need of his energy to devise relief. On the morning of the eleventh, previous to his departure, news came, that, two days before, two British ships of forty-four guns each, with three or four tenders, under an easy southerly breeze, ran through the impediments in the Hudson without the least difficulty, and captured or destroyed the four American row-galleys in the river. Congress would not conceive the necessity of further retreat; referring the letter to the board of war, they instantly "desired Washington, if practicable, by every art and at whatever expense, to obstruct effectually the navigation between the forts, as well to prevent the regress of the enemies' frigates lately gone up, as to hinder them from receiving succors." Greene shared this rash confidence. After the British ships of war had passed up the river, he said: "Our army are so strongly fortified, and so much out of the command of the shipping, we have little more to fear this campaign." Congress was confirmed in its delusion by Lee, who, on the twelfth, wrote confidently from Amboy that Howe would not attack Washington's lines, but would "infallibly" proceed against Philadelphia; and he urged that Washington "should spare a part of his army to be stationed about Trenton."

While Lee was writing this opinion, Howe, leaving his finished lines above Macgowan's pass to

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the care of three brigades under Percy, embarked the van of his army on the East river, and landed at Frog's neck. Washington, who had foreseen this attempt to gain his rear, seasonably occupied the causeway and bridge which led from Frog's neck, by Hand's riflemen, a New York regiment, the regiment of Prescott of Pepperell, and an artillery company; posted guards on all the defensible grounds between the two armies; began the evacuation of New York island by sending Macdougall's brigade before nightfall[1] four miles beyond Kingsbridge; and detached a corps to White Plains, to which place he ordered his stores in Connecticut to be transferred.[2] On the thirteenth, a council of war was called, but was adjourned, that Greene and Mercer might receive a summons and Lee be present. On the fourteenth, in obedience to the indiscreet order of congress, Putnam was charged "to attend particularly to the works about Mount Washington, and to increase the obstructions in the river as fast as possible;" while Lee, still in

1 The origin of the retirement of the American army from New York has been most industriously misrepresented. "The movement originated with General Lee," writes Stedman, Hist. of the War, i. 211, and he is substantially followed by Reed's Reed, i. 251. So far is this from the truth, the movement was ordered before the idea had entered the mind of Lee, as appears from his letters of Oct. 12 and Oct. 14, and was more than half executed a day or two before his arrival. For evidence of the beginning of the movement, see Smallwood, Oct. 12, 1776, where he acknowledges the receipt of his orders on the very day the British landed, Force, ii. 1014; confirmed by Heath in his journal for the same day, Heath, 76; by Col. Ewing to Maryland Council of Safety, Oct. 13, 1776, in Force, ii. 1025; by J. Reed to his wife, Oct. 13, 1776, in Reed's Reed, i. 244: "The principal part of this army is moved off this island." These letters were all written before Lee arrived, and before he knew anything about the movement.

2 The witnesses to this are Washington himself, in a letter to Col. J. Trumbull, Oct. 20, in Force, ii. 1138; and Howe to Germain, in Almon, xi. 355.

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New Jersey, blamed Washington for not menacing to resign. Later in the day Lee crossed the river, and found New York island already more than half evacuated. Riding in pursuit of Washington, who was directing in person the defence along East and West Chester, he was received with confidence, and assigned to the division beyond Kingsbridge, with the request that he would exercise no command till he could make himself acquainted with the arrangements of his post.

In the following night, Mercer, at first accompanied by Greene, made a descent upon Staten Island, and at daybreak on the fifteenth he took seventeen prisoners at Richmond. The intended descent upon eastern Long Island was postponed.

To the council of war which assembled on the sixteenth Washington read accounts of a conspiracy of the numerous disaffected in Westchester and Duchess counties, and produced ample evidence of the intention of the enemy to surround his army; in reply to his question, all, except George Clinton, agreed that a change of position was necessary "to prevent the enemy cutting off the communication with the country." Lee, who came to the camp to persuade Washington that he was in no danger whatever of an attack, joined in the well-considered decision which the best of the generals had brought with them to the council, and distinguished himself by his vehement support of his newly adopted opinion.[1] The council

[1] That his opinion was new appears from his own letters. Gordon, in his account of the council, makes Greene figure largely; but Greene was not present at it, as the record shows. Force, ii. 1117.

also agreed, with apparent unanimity, that "Fort Washington be retained as long as possible."

After five days, which Howe passed on Frog's neck in bringing up more brigades and collecting stores, he gave up the hope of getting directly in Washington's rear, and resolved to strike at White Plains. On the eighteenth, the British, crossing in boats to Pell's neck, landed just below East Chester, at the mouth of Hutchinson river. Glover, with one brigade, engaged their advanced party in a short but sharp action, which was commended in general orders, and honored at Ticonderoga "with three cheers" from the northern army. That night the British lay upon their arms, with their left upon a creek towards East Chester, and their right near New Rochelle. In the march to White Plains the Americans had the advantage of the shortest distance, the greatest number of efficient troops, and the strongest ground. The river Bronx, a small stream of Westchester county, nearly parallel with the Hudson, scarcely thirty miles long, draining a very narrow valley, and almost everywhere fordable, ran through thick forests along a succession of steep ridges. The hills to the north of White Plains continue to the lakes which are its sources, and join the higher range which bounds the basin of the Croton river. The Americans moved upon the west side, pressing the British towards the sound, taking care not to be outflanked, and protecting their march by a series of intrenched camps. Each party was deficient in the means of transportation; but the Americans, who were in fine spirits, themselves dragged their artil-

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lery, and carried what they could of their baggage on their backs.

Ever in a state of alarm from the vigilance and activity of Washington, Howe manifested extreme caution; his march was close; his encampments compact. He was beset by difficulties in a "country so covered with forests, swamps, and creeks, that it was not open in the least degree to be known but from post to post, or from the accounts of the inhabitants, who were entirely ignorant of military description." After halting two days for two regiments of light dragoons, on the twenty-first, leaving Von Heister with three brigades to occupy the former encampment, he advanced with the right and centre of his army two miles above New Rochelle. To counteract him, Washington transferred his head-quarters to Valentine's hill, and put in motion Heath's division, which marched in the night to White Plains, and on the following day occupied the strong grounds north of the village, so as to protect the upper road from Connecticut. In the same night, Haslet of Delaware surprised a picket of Rogers's regiment of rangers, and brought off thirty-six prisoners, a pair of colors, and sixty muskets. A few hours later, Hand, with two hundred rifles, encountered an equal number of yagers, and drove them from the field. Howe felt the need of a greater force. On the twenty-second, the second division of the Hessians and the regiment of Waldeckers, who had arrived from a very long voyage only four days before, were landed by Knyphausen at New Rochelle, where they remained to protect the communica-

tions with New York. This released the three brigades with Von Heister; but before they could move, Washington, on the morning of the twenty-third, installed his head-quarters at White Plains, and thus utterly baffled the plan of getting into his rear. On the twenty-fifth, Howe's army crossed the country from New Rochelle to the New York road, and encamped at Scarsdale with the Bronx in front, the right of his army being about four miles from White Plains. While he was waiting to be joined by Von Heister's division, Lee and the rear of the American army reached Washington's camp, without loss, except of sixty or seventy barrels of provisions. Here the querulous general promptly indulged his habit of finding fault, selecting for blame the place of the encampment; but though there was stronger ground in the rear, there was none so well suited to defend the stores; besides, it was Washington's object, not to escape from Howe, but to draw him on and waste his time. CHAP. X. 1776. Oct.

The twenty-seventh was marked by a combined movement against Fort Washington by the British who had been left at New York. A ship of war came up to cut off the communication across the river; while the troops under Percy, from Harlem plain, made a disposition for an attack; but Greene animated the defence by his presence; Magaw promptly manned his lines on the south; the vessel of war suffered so severely from two eighteen-pounders on the Jersey shore and one on the New York side, that she slipped her cable, left her anchor, and escaped by the aid 27.

CHAP. X. 1776. Oct. 27. of the tide and four tow-boats. Elated at the result, Greene sent to congress by express a glowing account of the day; "The troops," he said, "were in high spirits, and in every engagement, since the retreat from New York, had given the enemy a drubbing." Lasher, on the next day, obeyed orders sent from Washington's camp to quit Fort Independence, which was insulated and must have fallen before any considerable attack; but Greene, under the illusions of inexperience, complained of the evacuation as premature, and likely to damp the spirits of his troops, and wrote murmuringly to Washington, that the "fort might have kept the enemy at bay for several days."

28. On the bright autumnal morning of the twenty-eighth, the army of Howe, expecting a battle which was to be the crisis of the war, advanced in two divisions, its right under Clinton, its left under Von Heister. At Hart's corner they drove back a large party of Americans under Spencer. As their several columns came within three quarters of a mile of White Plains, Washington's army was seen in order of battle, superior in numbers, and full of confidence, awaiting an attack on hilly ground of his own choice, defended by an abatis and two nearly parallel lines of intrenchments, his right flank and rear protected by a bend in the Bronx, his left resting on very broken ground too difficult to be assailed.

Howe was blamed for not having immediately stormed the American centre, which was the only vulnerable point. Washington had no misgivings, for his army, numbering rather more than thirteen

thousand men against thirteen thousand, was in good spirits, confident in themselves and him. Howe considered that the chances of a repulse might be against him; that should he carry one line, there would remain another; that if he scaled both, "the rebel army could not be destroyed," because the ground in their rear was such as they could wish for securing a retreat, so that the hazard of an attack exceeded any advantage he could gain. But he had come so far, he was forced to do something. A corps of Americans, about fourteen hundred strong, under the command of Macdougall, occupied Chatterton hill, west of the Bronx and less than a mile west-southwest of Washington's camp, and thus covered the road from Tarrytown to White Plains. Howe directed eight regiments, about four thousand men, to carry this position, while the rest of his army, with their left to the Bronx, seated themselves on the ground as lookers-on.

First, a heavy but ineffective cannonade by the British across the Bronx was feebly returned by the three field-pieces of the Americans on the hill. The Hessian regiment Lossberg, supported by Leslie with the second English brigade and Donop with the Hessian grenadiers, forded the Bronx, and marched under cover of the hill, until by facing to the left their column became a line, parallel with that of the Americans, which was composed of the remains of the regiments of Brooks of Massachusetts, Haslet of Delaware, Webb of Connecticut, Smallwood of Maryland, and one of New York. The cannonade ceased; and the Brit-

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ish troops struggled through a deadly shower of bullets to climb the rocky hill-side. For fifteen minutes they met with a most determined resistance, especially from the men of Maryland and Delaware. In the American camp it seemed that the British were worsted; but just then, Rall, who, acting from his own observation and judgment, had brought up two regiments by a more southerly and easier route, ordered his bugles to sound, and decided the day by suddenly charging the Americans on their flank. Macdougall, attacked in flank and front by thrice his own numbers, still preserved his communications, and conducted his party over the Bronx by the road and bridge to Washington's camp. Of stragglers only about eighty were taken. The loss of the Americans in killed and wounded was less than a hundred, while that of the English and Hessians was at least two hundred and twenty-nine.

CHAPTER XI.

FORT WASHINGTON.

October 29—November 16, 1776.

The occupation of Chatterton hill enfeebled Howe by dividing his forces; and he waited two days for four fresh battalions from New York and two from New Rochelle. Washington employed the respite in removing his sick and his stores, strengthening his position, and throwing up strong works on higher grounds in his rear.

A drenching rain in the morning of the thirty-first was Howe's excuse for postponing the attack one day more; in the following night, Washington, perceiving that Howe had finished batteries and received reënforcements, drew back his army to high ground above White Plains. There, at the distance of long cannon-shot, he was unapproachable in front; and he held the passes in his rear. His superiority as a general was manifest; but under the system of short enlistments his strength was wasting away. The militia would

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soon have a right to go home, and did not always wait for their discharge. To the several states was reserved the sole right to issue commissions; if this had been seasonably done, troops whose time was nearly at an end might have engaged again; "it was essential to keep up some shadow of an army," and for all that "not a single officer was yet commissioned to recruit."

Thus far Howe had but a poor tale to tell; he must do more, if he would not go in shame into winter-quarters. Putnam, whose division had been the last to leave New York island, had an overweening confidence in the impregnability of Fort Washington, which he had raised; on his parting request, Greene, whose command now extended to that fort, had not scrupled to increase its garrison by sending over between two and three hundred men. The regiments which Washington had assigned to its defence were chiefly Pennsylvanians under the command of Colonel Magaw, who, from love of country, had passed from the bar of Philadelphia to service in the army.

On the last day of October, Greene, who was as blindly confident as Putnam, wrote to Washington for instructions; but without waiting for them, he again reënforced Magaw with the rifle regiment
Nov. 2. of Rawlings. On the second of November, Knyphausen left New Rochelle, and with his brigade took possession of the upper part of New York
5. island. On the fifth, Howe suddenly broke up his encampment in front of Washington's lines, and moved to Dobbs' ferry; the American council of
6. war which was called on the sixth at White Plains

agreed unanimously to throw troops into the Jerseys, but made no change in its former decision "to retain Fort Washington as long as possible." That decision rested on an order from congress; to that body, therefore, Washington, on the day of the council, explained the approaching dissolution of his own army, and "that the enemy would bend their force against Fort Washington, and invest it immediately." But congress left their former orders unchanged. "The gentry at Philadelphia loved fighting, and, in their passion for brilliant actions with raw troops, wished to see matters put to the hazard."[1] Greene was possessed with the same infatuation; when, on the sixth, three vessels passed the obstructions in the Hudson, he wrote to Washington, "that they were prodigiously shattered from the fire of his cannon;" and at the same time, reporting that Rall had advanced with his column to Tubby-hook, he added: "They will not be able to penetrate any further." CHAP. XI. 1776. Nov. 6.

Washington saw more clearly. Cares of every sort overwhelmed him, but could not daunt his fortitude, nor impair his judgment. His first object was to save the garrison at Fort Washington, and the stores at Fort Lee; and on the eighth he gave to Greene his final instructions, overruling the order of congress with modesty yet with clearness: "The passage of the three vessels up the North river is so plain a proof of the inefficacy of all the obstructions thrown into it, that it will fully justify a change in the disposition. If we cannot prevent vessels from passing up, and the 8.

[1] Mifflin to R. Morris, 21 Nov. 1776. MS.

CHAP. XI. 1776. Nov. 8. enemy are possessed of the surrounding country, what valuable purpose can it answer to attempt to hold a post, from which the expected benefit cannot be had? I am, therefore, inclined to think that it will not be prudent to hazard the men and stores at Mount Washington; but, as you are on the spot, I leave it to you to give such orders, as to evacuating Mount Washington, as you may judge best, and so far revoking the order given to Colonel Magaw to defend it to the last. So far as can be collected from the various sources of intelligence, the enemy must design a penetration into Jersey, and to fall down upon your post. You will, therefore, immediately have all the stores removed, which you do not deem necessary for your defence."

Having thus disposed of the question of Fort Washington by revoking the order to defend it to the last, and providing, as he believed, for its evacuation, and having ordered "immediate" preparations for evacuating Fort Lee, he turned his
9. mind to other duties. On the ninth, he began sending with Putnam to the Jerseys five thousand troops, of which he was himself to take the com-
10. mand. On the tenth, Lee, who, with about seven thousand five hundred continental troops and militia, was to remain behind till all doubt respecting Howe's movements should be over, was warned, in written orders, to guard against surprises, and to transport all his baggage and stores to the northward of Croton river, with this final instruction: "If the enemy should remove the greater part of their force to the west side of Hudson's

river, I have no doubt of your following, with all possible despatch." Then, having finished his work with a forecast that neglected nothing, Washington rode from White Plains an hour before noon, and reached Peekskill at sunset. CHAP. XI. 1776. Nov. 10.

On the morning of the eleventh, attended by Heath, Stirling, the two Clintons, Mifflin, and others, he went in boats up the magnificent defile of the Highlands, past Forts Independence and Clinton and the unfinished Fort Montgomery, as far as the island on which Fort Constitution commanded the sudden bend in the river. A glance of the eye revealed the importance of the opposite west point, which it was now determined to fortify according to the wish of the New York provincial convention. Very early on the twelfth, Washington rode with Heath to reconnoitre the gorge of the Highlands; then giving him, under written instructions, the command of the posts on both sides of the river, with three thousand troops of Massachusetts, Connecticut, and New York to secure them, he crossed at ten o'clock, and rode through Smith's "clove" to Hackensack. His arrangements, as the events proved, were the very best that his circumstances permitted, and he might reasonably hope to check the progress of Howe in New Jersey at the river. But unhappily he was not seconded by his generals, who, from the character of the army, and the uncertain extent of the power of the commander-in-chief, acted as if they were his peers. 11. 12.

No sooner did Lee find himself in a separate command than he resolved neither to join nor to reënforce his superior; and Greene framed his

CHAP. XI. 1776. Nov. 9–13. measures on a system directly contrary to Washington's manifested intentions. He fell to questioning the propriety of the directions which he received; insisted that Fort Washington should be kept, even with the certainty of its investment; gave assurance that the garrison was in no great conceivable danger, and could easily be brought off at any time; and cited Magaw's opinion that the fort could stand a siege till December. Instead, therefore, of evacuating it, he took upon himself to send over reënforcements, chiefly of Pennsylvanians; left unrevoked the order to defend it to the last extremity; and, in a direct report to congress, encouraged that body to believe that the attempt of Howe to possess himself of it would fail.

13. Before the end of the thirteenth, Washington arrived at Fort Lee, and, to his great grief, found what Greene had done. "The importance of the Hudson river, and the sanguine wishes of all to prevent the enemy from possessing it," had induced congress to intervene by a special order, which left Washington no authority to evacuate Fort Washington, except in a case of necessity; his full council of war had approved the action of congress; Greene, his best and most trusted officer, and the commander of the post, insisted that the evacuation was not only uncalled for, but would be attended by disastrous consequences; and, under this advice, Washington hesitated, by an absolute order, to conflict with congress, whose judgment he might strive to enlighten, whose command he was bound to obey. His next hours at Hacken-

sack were crowded with duties; besides ordinary matters of detail, he had to prepare from dissolving regiments the means of protecting New Jersey, and to advise congress of the pressing wants of the army. CHAP. XI. 1776. Nov. 14.

On the night following the fourteenth, the vigilance of Greene so far slumbered, that thirty flat-boats of the British passed his post undiscovered, and hid themselves in Spyt den Duyvel creek. Having finished batteries on Fordham heights, Howe, in the afternoon of the fifteenth, summoned Magaw to surrender Fort Washington, on pain of the garrison's being put to the sword. The gallant officer, remonstrating against this inhuman menace, made answer, that he should defend his post to the last extremity, and sent a copy of his reply to Greene, who, about sunset, forwarded it to Washington, and himself soon after repaired to the island. On receiving the message, Washington rode to Fort Lee, and was crossing the river in a row-boat late at night, when he met Putnam and Greene, and spoke with them in the stream. Greene, who was persuaded that he had sent over "men enough to defend themselves against the whole British army," reported that the troops were in high spirits, and would do well. On this report Washington turned back with them to Fort Lee, for it was then too late to withdraw the garrison. 15.

The grounds which Magaw was charged to defend reached from the hills above Tubby-hook to a zigzag line a little south of the present Trinity cemetery, a distance north and south of two and a 16.

CHAP. XI. 1776. Nov. 16.

half miles, a circuit of six or seven. The defence of the northernmost point of the heights was committed to Rawlings and a Maryland rifle regiment, in which Otho Holland Williams was the second in command; Magaw retained at Fort Washington a small reserve; the lines at the south were intrusted to Pennsylvanians under Lambert Cadwalader of Philadelphia, who had no heart for the day's work, and justly enough thought and too openly avowed that a successful defence was impossible; on the Harlem side, Baxter, with one regiment, occupied the redoubt on Laurel hill; the interval of two miles between him and Cadwalader was left to casual supplies of troops.

A cannonade from the heights of Fordham was kept up on the sixteenth till about noon. Of four separate attacks, the most difficult and the most dangerous was made by Knyphausen with nearly four thousand five hundred men. The brigade on the right nearest the Hudson was led by Rall; the other, with Knyphausen, marched nearer the road towards the gorge, officers, like the men, on foot. The high and steep and thickly wooded land was defended by felled trees and three or four cannon. The assailants must climb over rocks; they drew themselves up by grasping at trees and bushes; some slipped on the dry autumn leaves and fell; others dropped before the rifle. Excited by the obstinacy of the contest, Rall cried out: "Forwards, my grenadiers, every man of you;" his drums beat; his trumpeters blew the notes of command; and all who escaped the fire from behind rocks and trees shouted "Hurrah!"

and pushed forward without firing, till Hessians and Americans were mixed up together. The other German column was embarrassed by still closer thickets and a steeper hill-side; but Knyphausen, tearing down fences with his own hand, and exposing himself like the common soldier, was but little behind Rall.

For the second attack a brigade under Lord Cornwallis embarked in flat-bottomed boats at Kingsbridge on the stream which is there very narrow; the fire of musketry on the two foremost battalions was so heavy that the sailors slunk down in the boats, leaving it to the soldiers to handle the oars. When they had all landed, they climbed "the very steep, uneven" Laurel hill from the north, and by their activity and numbers stormed the American battery. Baxter fell while encouraging his men.

To the south, the division under Percy moved from what is now the One hundred and twenty-fifth street. An advance picket of twenty men in a small redoubt was quickly dislodged by a brisk fire; but after gaining the heights, Percy sheltered his greatly superior force behind a piece of woods, and remained idle for an hour and a half, while he sent word to Howe that he had carried an advanced work. To facilitate his success, Howe ordered three regiments to land in the rear of Cadwalader's lines. As they were seen coming down Harlem river, Magaw sent from Fort Washington, and Cadwalader from his lines, each about one hundred and fifty men to oppose them. Of this fourth attack, Colonel Sterling and the High-

CHAP. XI. 1776. Nov. 16.

landers led the way in boats through a galling fire; they landed under cover of a heavy cannonade from Fordham heights, struggled up the steep path with a loss of ninety killed or wounded, and pressed forward across the island. To prevent being caught between two detachments, Cadwalader ordered his party to retreat; which they did, but in such confusion that they lost more than a hundred and fifty prisoners to Sterling, and the rest, instead of rallying on the grounds outside of the fort, huddled together within its narrow enclosure.

While this was going on, the Hessians at the north, clambering over felled trees and surmounting rocky heights, gained on the Americans, who in number were but as one to four or five. Rawlings and Otho Williams were wounded; the arms of the riflemen grew foul from use; as they retired, Rall with his brigade pushed upward and onward, and when within a hundred paces of the fort, instantly sent a captain of grenadiers with summons to the garrison to surrender as prisoners of war, all retaining their baggage, and the officers their swords. Cadwalader received and favored the message; Magaw, to whom it was referred, asked five hours for consultation, but obtained only a half-hour. It was late in the afternoon; during the truce, a messenger from Washington, who was looking on from Fort Lee, brought a letter to Magaw, promising that if he would hold out for a few hours an effort should be made during the night to bring off the garrison. But the treaty had gone too far; nor could the place have re-

sisted an assault; to Knyphausen, who had come up, Magaw surrendered. The honors of the day belonged to the Hessians and the Highlanders; Rall and Sterling were distinguished in general orders; and the fort was named Knyphausen.

The killed and wounded of the German troops were more than three hundred and fifty, those of the whole royal army more than five hundred. The Americans lost in the field not above one hundred and forty-nine; but they gave up valuable artillery and some of their best arms, and the captives exceeded two thousand six hundred, of whom one half were well-trained soldiers. Greene would never assume his share of responsibility for the disaster, and would never confess his glaring errors of judgment; but wrongfully ascribed the defeat to a panic which had struck the men, so that "they fell a prey to their own fears." The grief of Washington was sharpened by self-reproach for having yielded his own opinion and wish to the confident reports of the commander of the post, who had incomparably better opportunities than himself of forming a just judgment; but he took the teachings of adversity without imbibing its bitterness; he never excused himself before the world by throwing the blame on another; he never suffered his opinion of Greene to be confused; and he interpreted his orders to that officer as having given the largest discretion which their language could be strained to warrant.

CHAPTER XII.

WASHINGTON'S RETREAT THROUGH THE JERSEYS.

NOVEMBER 17—DECEMBER 13, 1776.

CHAP. XII. 1776. Nov.

EARL CORNWALLIS, who on the third day of February, 1766, had voted with Camden, Shelburne, and only two others, that the British parliament had no right to tax America, obtained the command in New Jersey. His first object was Fort Lee, which lay on the narrow ridge between the Hudson and Hackensack rivers, and which was in the more danger as Greene, indulging his easy, sanguine disposition, had neglected Washington's timely order, to prepare for its evacuation by the removal of its stores. Drop after drop of sorrow was fast falling into the cup of Washington. On
17. the seventeenth of November, the division under the command of Lee had orders[1] to join; but

[1] "They had orders on the 17th of November to join, now more than a month." Washington to Congress, Dec. 20, in Sparks, iv. 239. I compared this with the manuscript copy of the letter and with the copy in Washington's letter-book in the state department, and they agree exactly. The order itself, as far as I can find, has not been preserved. One or two official or semi-official letters of the adjutant-general to

the orders were treated as mere advice, and were wilfully slighted. The army was melting away; while congress showed signs of nervousness and felt their want of resources. To obtain troops, they granted the states liberty to enlist men for the war, or for three years; after their own long delay had destroyed every hope of good results from the experiment, they forwarded to Washington blank commissions, which he was to fill up, and conjured him to recruit the regiments then in camp. Nov. 17.

In the night of the nineteenth, two battalions of Hessian grenadiers, two companies of yagers, and the eight battalions of the English reserve, at least five thousand men, marched up the east side of the Hudson, and the next morning, about day-break, crossed with their artillery to Closter landing, five miles above Fort Lee. The movement escaped Greene's attention; so that the nimble seamen were unmolested as they dragged the cannon for near half a mile up the narrow, steep, rocky road, to the top of the palisades. Aroused from his bed by the report of a countryman, Greene sent an express to the commander-in-chief, and having ordered his troops under arms, took to flight with more than two thousand men, leaving blankets and baggage, except what his few wagons could bear away, more than three months' provision for three thousand men, camp-kettles on the fire, above four hundred tents standing, and all his cannon, except two twelve-pounders. With his utmost speed he barely escaped being cut off; but 19. 20.

Lee seem to be missing; this order was perhaps one of them. Several of the communications to Lee in December are lost.

CHAP. XII. 1776. Nov. 20. Washington, first ordering Grayson, his aide-de-camp, to renew the summons for Lee to cross the river, gained the bridge over the Hackensack by a rapid march, and covered the retreat of the garrison, so that less than ninety stragglers were taken prisoners. The main body of those who escaped were without tents, or blankets, or camp utensils, but such as they could pick up as they went along. While the Americans were in full retreat, Reed, the adjutant-general, ordered a horseman to hasten to Lee with an announcement of the day's disaster, and as the means of writing gave out, to add this verbal message: "I pray you to push and join us;" and the horseman, without loss of time, fulfilled his commission.

Once more the army lay on a narrow peninsula, between the Hackensack and Passaic rivers, which meet in Newark bay. To avoid being hemmed in, while waiting for the junction of Lee, Washington 21. gave orders on the twenty-first for moving beyond the Passaic; and on the same day, he addressed a long and most earnest letter to Lee, explaining the necessity for insisting on his moving over by the easiest passage. Reed added a letter of his own.

Halting on his march from Hackensack to Newark, from the bridge over the Passaic he reminded the governor of New Jersey that the enlistment of the flying camp belonging to that state, to Pennsylvania, and to Maryland, was near expiring, so that the enemy could be stopped only by the immediate uprising of the militia. At Newark, 22. where he arrived on the night of the twenty-second, he maintained himself for five days; con-

stantly devising means to cover the country, and hoping to be joined by the continental force under Lee and by volunteers of New Jersey. But Lee, weakened by the return home of about three thousand of the Massachusetts militia, remained in idleness for sixteen days, pretending to defend a country which there was no enemy near to attack, indifferent to the "full and explicit" and constantly reiterated orders of Washington.

23. On the twenty-third, Washington sent Reed, who was a native of New Jersey, to the legislature of that state then assembled at Burlington, and Mifflin to the congress at Philadelphia, to entreat the immediate reënforcement of his dilapidated army. Mifflin fulfilled his mission with patriotism and ability. Congress, in their helplessness, called on the associators in Philadelphia and the nearest four counties to join the army, if but for six months; begged blankets and woollen stockings for the bare soldiers; and wrote north and south for troops and stores. The state of Pennsylvania was paralyzed by anarchy, continuous revolution, and disputes about the new constitution, which the majority disapproved, and of which the complete establishment was effectually resisted for three months to come; but Mifflin successfully addressed the old committee of safety, and the new assembly; he reviewed and encouraged the city militia; with Rittenhouse in the chair, and the general assembly and council of safety in attendance, he spoke to the people in town-meeting with fervor, and was answered by unanimous acclamations. All this while, the British officers were writing home from New

CHAP. XII. 1776. Nov. 28. York: "Lord Cornwallis is carrying all before him in the Jerseys; it is impossible but that peace must soon be the consequence of our success." On the twenty-eighth, the advanced guard of Cornwallis reached Newark, just as it was left by the rear of the Americans. On that same day, Reed, who had been charged to convey to the New Jersey government "a perfect idea of the critical situation of affairs, the movements of the enemy, and the absolute necessity of further and immediate exertions," shrunk from his duty, and, seeking definitively to quit the army, sent back his commission to the president of congress. But the prospect of unsparing censure, and a cold rebuke from Washington, who had seen proof of his disingenuousness, drove him, at the end of four days, to retract his resignation, though he could not as yet wholly overcome his reluctance at "following the wretched remains of a broken army."

At Brunswick, where that army arrived on the evening of the twenty-eighth, it found short rest. Lee, though importuned daily, and sometimes twice a day, still lingered on the east of the Hudson; Pennsylvania had no government; the efforts of congress were as yet ineffective; and the appeal of the governor of New Jersey to its several colonels of militia could not bring into the field one full company. All this while Washington was forced to hide his weakness, and bear loads of censure from false estimates of his strength. To expressions
30. of sympathy from William Livingston he answered: "I will not despair." As he wrote these words, on the last day of November, he was parting with the

New Jersey brigade and that of Maryland, which formed nearly half his force, and claimed their discharge, now that their engagement expired; while the brothers, Lord and Sir William Howe, were publishing a new proclamation of pardon and amnesty to all who would within sixty days promise not to take up arms in opposition to the king. The men of New Jersey, instead of turning out to defend their country, made their submissions as fast as they could, moved by the wavering of their chief justice, and the example of Samuel Tucker, who, though he had been president of the convention which formed the constitution of the state, chairman of its committee of safety, treasurer, and judge of the supreme court, yet signed the pledge of fidelity to the British. From Philadelphia, Joseph Galloway went over to Howe; so did Andrew Allen, who had been a member of the continental congress, and two of his brothers; all confident of being soon restored to their former fortunes and political importance. Even John Dickinson, who was free from malice and struck wounds only into his own breast, discredited the continental paper, and for two or three months longer, was so thoroughly convinced of the necessity of returning to the old state of dependence, that he refused to accept from Delaware an appointment to the congress of the United States.[1] The state of Maryland was willing to renounce the declaration of the fourth of July, for the sake of an accommodation with Great Britain.

[1] Force, iii. 1255, 1294, 1370. Robert Morris to Jay, January 12, 1777, MS. John Dickinson to George Read, January 20, 1777, MS., and Same to Same, January 22, 1777, MS.

CHAP. XII. 1776. Nov.

On the other hand, Schuyler, always on the alert to send help where it was wanted, ordered from the northern army seven continental regiments of New England, whose term of service would expire on the first of January, to march to the Delaware. Wayne burned to come "to the assistance of poor Washington," but was kept a little longer in command at Ticonderoga. In the darkest hour, Trumbull, of Connecticut, professing a due dependence on the divine disposer of events, said, for himself and for the people of his government: "We are determined to maintain our cause to the last extremity."

Dec.

Yet the fate of America was trembling in the scale, when the infatuation of the Howes rashly divided their forces. Two English and two Hessian brigades, under the command of Clinton, assisted by Earl Percy and Prescott, passed through the sound in seventy transports, and, on the seventh of December, were convoyed into the harbor of Newport by Sir Peter Parker, with eleven ships of war. The island of Rhode Island could offer no resistance; the American armed vessels that were in the bay went up to Providence for shelter. This useless conquest, which kept a large number of troops unemployed for the next three years, was made against the advice of Clinton, who wished rather to have landed at Amboy, or to have ascended the Delaware with the fleet to Philadelphia.

1.

On the first of December, just as Washington was leaving Brunswick, he renewed his urgency with Lee: "The enemy are advancing, and mean to push for Philadelphia; the force I have with

me is infinitely inferior in numbers, and such as cannot promise the least successful opposition. I must entreat you to hasten your march as much as possible, or your arrival may be too late." On the evening of that day, Cornwallis entered Brunswick. Washington, as he retreated, broke down a part of the bridge over the Raritan, and a sharp cannonade took place across the river, in which it is remembered that an American battery was served by Alexander Hamilton. With but three thousand men, half clad, poorly fed, he marched by night to Princeton. Leaving Stirling and twelve hundred men at that place to watch the motions of the enemy, he went with the rest to Trenton. His mind derived nourishment from adversity, and grew more strong and serene and pure through affliction. He found time to counsel congress how to provide resources for the campaign of the next year; and as he has himself written,[1] he saw "without despondency even for a moment the hours which America styled her gloomy ones." Having transferred his baggage and stores beyond the Delaware, he faced about with such troops as were fit for service, to resist the further progress of the enemy, and to await the movements of Lee, whom he sought, by a special messenger, to animate to rapid movements. But on the sixth, Cornwallis, who was impatient at his orders not to advance beyond Brunswick, was joined by Howe and nearly a full brigade of fresh troops. On his way to Princeton, Washington met the detachment of Stirling retreating before a vastly superior force;

CHAP. XII. 1776. Dec. 1. 2. 6.

[1] Washington to George Mason, March 27, 1779.

CHAP. XII. 1776. Dec. 8. he therefore returned with his whole army to Trenton, and at that place crossed the Delaware. Who can tell what might have happened, if Howe had pushed forward four thousand men, by a forced march, in pursuit of the Americans? But, resting seventeen hours at Princeton, and, on the eighth, taking seven hours to march twelve miles, he arrived at Trenton just in time to see the last of the fugitives safely pass the river; and he could not continue the pursuit for want of means of

9. transportation. The next morning, Cornwallis, who with the rear division had halted at Maidenhead, marched thirteen miles up the Delaware, as far as Coryell's ferry; but Washington had destroyed or secured every boat on that river and its tributary streams for a distance of seventy miles.

10. Philadelphia was in danger. On the tenth of December, congress sent Mifflin through the counties of Pennsylvania to rouse its freemen to arms; it requested of the assembly that a committee of their body might accompany him in his tour; it directed Putnam to throw up works for the protection of the city; it invited the council of safety to call forth all the inhabitants to take part in their construction; and it published an earnest appeal to the people in general, but especially of Pennsylvania and the adjacent states, to make at least a short resistance, for it had already received aid from foreign states and the most positive assurances of further aid, and General Lee was advancing with a strong reënforcement. On the same day, Washington, suffering anguish even to tears at the desolation of New Jersey, again addressed

Lee: "I request and entreat you, and this too by the advice of all the general officers with me, to march and join me with your whole force with all possible expedition. Do come on; your arrival, without delay, may be the means of preserving a city." Late at night arrived an evasive letter from Lee; and Washington appealed to him once more on the eleventh: "The force I have is weak, and entirely incompetent to prevent General Howe from possessing Philadelphia; I must, therefore, entreat you to push on with every possible succor you can bring." But this adjuration never reached him. CHAP. XII. 1776. Dec. 10. 11

The reputation of Lee was at its zenith, when he was left in command on the east side of the Hudson. In congress and among the people, his name was the mythical symbol of ability, decision, knowledge of war, and success; but in truth he was a man of a treacherous nature, a wayward will, and an unsoundness of judgment which bordered on morbidness. He began by ordering from the military chest a payment which was expressly forbidden by law; so that the paymaster was forced for self-protection to leave his neighborhood. At the fall of Fort Washington, his wild ambition blazed up without restraint; disregarding his orders to move his army, he spread in congress the false rumor, that his last words to the general had been: "Draw off the garrison, or they will be lost;" and he aspired to a grant of supreme power. "Your apathy," so he wrote to Rush, "amazes me; you make me mad. Let me talk vainly; had I the powers, I could do you much good, might I Nov. 10.

CHAP. XII. 1776. Nov.

but dictate one week. Did none of the congress ever read the Roman history?" The day after the loss of Fort Lee he received through Grayson an explicit order, and through Reed a peremptory one, to pass into New Jersey; determined on disobedience, in a letter to Bowdoin, who was then at the head of the government of Massachusetts, and who had slowly consented to the necessity of independence, he railed about the "cursed job of Fort Washington," and explained his purpose: "The two armies, that on the east and that on the west side of the North river, must rest each on its own bottom; to harbor the thought of reënforcing from one side to the other is absolute insanity." This he wrote with the knowledge that five thousand British troops had landed in New Jersey on the preceding day, and that there remained no danger on the east of the Hudson. To Washington he only made answer, that he had desired Heath to detach two thousand men to his relief; his own army could not get over in time to answer any purpose.

23 On the twenty-third of November he received most elaborate instructions, written by Washington himself two days before, accompanied by a private letter from Reed. Washington's letter he at once garbled so as to convey false impressions, and sent the disconnected passages to Bowdoin with the message: "Affairs appear in so important a crisis, that I think even the resolves of the congress must no longer nicely weigh with us. We must save the community, in spite of the ordinances of the legislature. There are times when we must commit

treason against the laws of the state for the salvation of the state. The present crisis demands this brave, virtuous kind of treason. For my own part, (and I flatter myself my way of thinking is congenial with that of Mr. Bowdoin,) I will stake my head and reputation on the propriety of the measure." His answer to Washington, which he kept back for two days, announced but little beyond his intention to stay where he was for two days more. The letter from Reed, who was habitually irresolute, and who was now too tremulous and desponding to discriminate between the fortitude of Washington and the fickleness of Lee, ran thus: "You have decision, a quality often wanted in minds otherwise valuable. Oh, General, an indecisive mind is one of the greatest misfortunes that can befall an army; how often have I lamented it this campaign. All circumstances considered, we are in a very awful and alarming situation; one that requires the utmost wisdom and firmness of mind. If congress will not, or cannot, bend their whole attention to the plan of the new army, I fear all our exertions will be in vain in this part of the world." Lee greedily inhaled the flattery of the man who professed to be the bosom friend of Washington, and on the twenty-fourth wrote back: "My dear Reed, I lament with you that fatal indecision of mind which in war is a much greater disqualification than stupidity, or even want of personal courage; accident may put a decisive blunder in the right, but eternal defeat and miscarriage must attend the man of the best parts, if cursed with indecision." Before the end

CHAP. XII. 1776. Nov. 23. 24

CHAP. XII. 1776. Nov. 26. of the month this echo to Reed's letter, having outwardly the form of an official despatch, fell under the eye of Washington.

The daily and precise letters and mandates of Washington admitted no subterfuge. On the twenty-sixth Lee promised obedience; he then turned to chide Heath for having thwarted his purpose; and wound up his note with these words: "The commander-in-chief is now separated from us; I, of course, command on this side the water; for the future, I will and must be obeyed." Assuming the air of authority in chief, he sent letters to three New England colonies, proposing a temporary embargo, that the privateersmen might be driven to seek employment in the army. And again to Massachusetts he urged the annual drafting of every seventh man; adding, to a puritan colony, his "most fervent prayer that God Almighty may assist in this pious work." Congress had lost much of its purity and dignity by the transfer of many of its ablest members; yet as nothing encouraged him to expect the dictatorship from that body, or from Massachusetts advice to save the country by "virtuous treason," or from his division a willing complicity in disobedience, he consented to cross the river; but he was still determined to avoid a junction with the commander-in-chief, and to impress into his own separate army all the forces which he could intercept. To Washington's mild reproaches for his not being sooner in motion, he answered on the thirtieth from Peekskill: "I shall explain my difficulties, when we both have leisure." Of Heath he demanded the transfer of

30.

his best regiments. The honest officer refused, producing his instructions. Lee insisted; assumed command at the post, and issued his own orders; but soon recalled them; for none approved his overturning the careful disposition which had been made for the security of the Highlands. CHAP. XII. 1776. Nov.

On the second and third of December his division passed the ferry; but he claimed to be "a detached general," bound only "to make an important diversion." At Haverstraw, on the fourth, at the time when the army which he should have joined had shrunk to less than three thousand men, he heard of the approach of some of the seven regiments which Schuyler had transferred from the northern army; and he wrote to Washington: "I shall put myself at their head to-morrow; we shall compose an army of five thousand good troops," giving an exaggerated return of his numbers. From Pompton, on the seventh, he sent Malmedy, a French officer of no merit, and utterly ignorant of English, to assume the general command of the troops collected for the defence of Rhode Island; and in his letter to the governor of that state he sneered at Washington as neither "a heaven-born genius," nor one who had "theory joined to practice," and therefore destitute of the qualities which could "alone constitute a general." On the eighth, from Morristown, while the general was retiring before Howe and Cornwallis, and escaping beyond the Delaware with his half-starved, half-clad soldiers, few and weak and worn and seemingly doomed, Lee announced to Richard Henry Lee and Rush, the committee Dec. 2, 3. 4. 7. 8.

CHAP. XII. 1776. Dec. 8. of congress, that it was not his intention "to join the army with Washington," because, said he, "I am assured he is very strong." This he penned with an unbounded audacity of falsehood, having at the moment the messenger from Washington at his side. To Washington, who had hoped by concert with him to achieve some great success, he used the same plain language of disobedience, and wrote that he would "hang on the enemy's rear, and annoy them in a desultory war." Then, as if to make the grief for his delay more poignant, he reports his division as amounting to four thousand noble-spirited men. "On receiving my despatches by Major Hoops," wrote Washington to congress, "I should suppose he would be convinced of the necessity of his proceeding this way with all the force he can bring." Lee had received the despatches by Major Hoops, and still adhering to his plan of remaining in the enemy's rear, had answered in a letter which, with the exception of a deceitful memorandum without signature, was his last communication to his chief during the campaign: "I shall look about me to-morrow, and
9. inform you further." From Chatham, which he selected as his post, he on that morrow hurried off orders to Heath to have three regiments just arrived from Ticonderoga join him without loss of time, saying: "I am in hopes here to reconquer the Jerseys; it was really in the hands of the enemy before my arrival."

12. On the twelfth his division marched with Sullivan eight miles only to Vealtown; but Lee, with a small guard, proceeded on the flank, three or

four miles nearer the enemy, who were but eighteen miles off; and passed the night at White's tavern at Baskingridge. The next morning he lay in bed till eight o'clock. On rising he wasted two hours with Wilkinson, a messenger from Gates, in boasting of his own prowess and cavilling at everything done by others. Never was a general in a position more free from difficulties; he had only to obey an explicit order from his superior officer, which there was nothing to prevent but his own caprices. It was ten o'clock before he sat down to breakfast; after which he took time, in a letter to Gates, to indulge his spleen towards Washington in this wise: "My dear Gates, The ingenious manœuvre of Fort Washington has unhinged the goodly fabric we had been building. There never was so damned a stroke. *Entre nous*, a certain great man is most damnably deficient. He has thrown me into a situation where I have my choice of difficulties: if I stay in this province, I risk myself and army; and if I do not stay, the province is lost forever. I have neither guides, cavalry, medicines, money, shoes, or stockings. I must act with the greatest circumspection. Tories are in my front, rear, and on my flanks; the mass of the people is strangely contaminated; in short, unless something which I do not expect turns up, we are lost. Our counsels have been weak to the last degree. As to yourself, if you think you can be in time to aid the general, I would have you by all means go; you will at least save your army. It is said that the whigs are determined to set fire to Philadelphia; if they strike this decisive

CHAP. XII. 1776. Dec. 13.

CHAP. XII. 1776. Dec. 13.

stroke, the day will be our own; but unless it is done, all chance of liberty in any part of the globe is forever vanished. Adieu, my dear friend; God bless you. Charles Lee." The paper, which he signed, was not yet folded, when Wilkinson, at the window, cried out: "Here are the British cavalry." "Where?" asked Lee.

The young Lieutenant-Colonel Harcourt, eager for distinction, had asked and obtained of Cornwallis the command of a scouting party of thirty dragoons, and learning on the way Lee's foolhardy choice of lodgings, he approached the house undiscovered, and surrounded it by a sudden charge. Had Lee followed the advice of De Virnejoux, a gallant French captain in the American service, who was in the house, he would have escaped. But Harcourt, who knew that, to succeed, his work must be done quickly, called out to Lee to come forth immediately, or the house would be set on fire; and within two minutes, he who had made it his habitual boast that he would never be taken alive, sneaked out unarmed, bareheaded, without cloak, in slippers and blanket-coat, his collar open, his shirt very much soiled from several days' wear, pale from fear, with the abject manner of a coward, and entreated the dragoons to spare his life. They seized him just as he was, and set him on Wilkinson's horse, which stood ready saddled at the door. One of his aids, who came out with him, was mounted behind Harcourt's servant; and at the signal by the trumpet, just four minutes from the time of surrounding the house, they began their return. On the way, Lee recovered from his panic,

and ranted violently about his having for a moment obtained the supreme command, giving many signs of wildness and of a mind not perfectly right. At Princeton, when he was brought in, he was denied the use of materials for writing;[1] and an officer and two guards were placed in his room. He demanded to be received under the November proclamation of the Howes; and on being refused its benefits, and reminded that he might be tried as a deserter, he flew into an extravagant rage, and railed at the faithlessness and treachery of the Americans as the cause of his mishap.[2]

No hope remained to the United States but in Washington. His retreat of ninety miles through the Jerseys, protracted for eighteen or nineteen days, in an inclement season, often in sight and within cannon-shot of his enemies, his rear pulling down bridges, and their van building them up, had no principal purpose but to effect delay, till midwinter and impassable roads should offer their protection. The actors, looking back upon the crowded disasters which overwhelmingly fell on them, knew not how they got through, or by what springs of animation they were sustained.

[1] The letter, without date of time or place, and purporting to be from General Lee to Captain Kennedy, is not genuine, as all external and internal evidence proves. The style is not that of Lee; the sentiments are not his. Captain Kennedy was a prisoner among the Americans. Lee was not allowed to write, as we know from one of Howe's aids. Report of F. von Münchhausen in the Brunswick papers. The letter was printed in the Middlesex Journal of Feb. 20, 1777, immediately on the arrival of the rumor of Lee's captivity; and had it been genuine, there is no conceivable channel by which, according to any calculation of probabilities, it could have reached that journal at so early a day.

[2] Geo. H. Moore's Treason of Lee is the fruit of comprehensive and thorough research. It is confirmed by documents of unquestionable authenticity and is the first correct sketch of the early career of Lee in the American service.

CHAP. XII. 1776. Dec.

The virtues of their leader touched the sympathies of officers and men; they bore each other up with perseverance, as if conscious, that, few and wasted as they were, they were yet to save their country.

CHAPTER XIII.

TRENTON.

December 11 — 26, 1776.

The British posts on the eastern side of the Delaware drew near to Philadelphia; rumor reported ships of war in the bay; the wives and children of the inhabitants were escaping with their papers and property; and the contagion of panic broke out in congress. On the eleventh of December they called on the states to fix, each for itself, a day of fasting and humiliation; and, with a feverish pretension to courage, they resolved that "Washington should contradict, in general orders, the false and malicious report that they were about to disperse, or adjourn from Philadelphia, unless the last necessity should direct it." He declined publishing the vote, and wisely; for, on the twelfth, after advice from Putnam and Mifflin, they voted to adjourn to Baltimore, throwing upon the commander-in-chief the responsibility of directing all things relative to the operations of war. It is

Dec. 11.

12.

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on record that Samuel Adams, mastered by enthusiasm and glowing with health and excitement, which grew with adversity, resisted the proposition of removal. His speech has not been preserved, but its purport may be read in his letters of the time: "I do not regret the part I have taken in a cause so just and interesting to mankind. The people of Pennsylvania and the Jerseys seem determined to give it up, but I trust that my dear New England will maintain it at the expense of everything dear to them in this life; they know how to prize their liberties. May Heaven bless them. If this city should be surrendered, I should by no means despair." "Britain will strain every nerve to subjugate America next year; she will call wicked men and devils to her aid. Our affairs abroad wear a promising aspect; but I conjure you not to depend too much upon foreign aid. Let America exert her own strength. Let her depend on God's blessing, and he who cannot be indifferent to her righteous cause will even work miracles if necessary to carry her through this glorious conflict, and establish her feet upon a rock." As a military precaution, Putnam ordered "the inhabitants of the city not to appear in the streets after ten o'clock at night." He promised in no event to burn the city which he was charged to defend to the last extremity, and would not allow any one to remain an idle spectator of the contest, "persons under conscientious scruples alone excepted." But the Quakers did not remain neutral. Indirectly disfranchised by the new form of government, they yearned for their old connec-

tion with England; at their meeting held at Philadelphia for Pennsylvania and New Jersey, they refused "in person or by other assistance to join in carrying on the war;" and with fond regret they recalled to mind "the happy constitution" under which "they and others had long enjoyed peace." The needless flight of congress, which took place amidst the jeers of tories and the maledictions of patriots, gave a stab to public credit, and fostered a general disposition to refuse continental money. At his home near the sea, John Adams was as stout of heart as ever. The conflict thus far had been less severe than he from the first had expected; though greater disappointments should be met, though France should hold back, though Philadelphia should fall, "I," said he, "do not doubt of ultimate success." CHAP. XIII. 1776. Dec.

Confident that the American troops would melt away at the approaching expiration of their engagements, Howe on the thirteenth prepared to return to his winter-quarters in New York, leaving Donop, as acting brigadier, with two Hessian brigades, the yagers, and the forty-second Highlanders, to hold the line from Trenton to Burlington. At Princeton Howe refused to see Lee, who was held as a deserter from the British army, and was taken under a close guard to Brunswick and afterwards to New York. Cornwallis left Grant in command in New Jersey, and was hastening to embark for England. By orders committed to Donop, the inhabitants who in bands or separately should fire upon any of the army, were to be hanged upon the nearest tree without further process. All pro- 13. 14.

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visions which exceeded the wants of an ordinary family were to be seized alike from whig or tory. Life and property were at the mercy of foreign hirelings. There were examples where English soldiers forced women to suffer what was worse than death, and on one occasion pursued girls still children in years, who had fled to the woods. The attempts to restrain the Hessians were given up, under the apology that the habit of plunder prevented desertions. A British officer reports officially: "They were led to believe, before they left Hesse-Cassel, that they were to come to America to establish their private fortunes, and hitherto they have certainly acted with that principle."

14. It was the opinion of Donop that Trenton should be protected on the flanks by garrisoned redoubts; but Rall, who, as a reward for his brilliant services, through the interposition of Grant obtained the separate command of that post, with fifty yagers, twenty dragoons, and the whole of his own brigade, would not heed the suggestion. Renewing his advice at parting, on the morning of the fourteenth, Donop marched out with his brigade to find quarters chiefly at Bordentown and Blackhorse, till Burlington, which lies low, should be protected from the American row-galleys by heavy cannon.

16. On the sixteenth, it was rumored that Washington with a large force hovered on the right flank of Rall; but in answer to Donop's reports of that day and the next, Grant wrote: "I am certain the rebels no longer have any strong corps on this side of the river; the story of Washington's crossing the Delaware at this season of the year is

not to be believed."[1] "Let them come," said Rall; "what need of intrenchments? We will at them with the bayonet."[2] At all alarms he set troops in motion, but not from apprehension, for he laughed the mouldering army of the rebels to scorn. His delight was in martial music; and for him the hautboys at the main guard could never play too long. He was constant at parade; and on the relief of the sentries and of the pickets, all officers and under-officers were obliged to appear at his quarters, to give an aspect of great importance to his command. Cannon which should have been in position for defence, stood in front of his door, and every day were escorted for show through the town. He was not seen in the morning until nine, or even ten or eleven; for every night he indulged himself in late carousals. So passed his twelve days of command at Trenton; and they were the proudest and happiest of his life.

"No man was ever overwhelmed by greater difficulties, or had less means to extricate himself from them," than Washington; but the sharp tribulation which assayed his fortitude carried with it a divine and animating virtue. Hope and zeal illuminated his grief. His emotions come to us across the century like strains from that eternity which repairs all losses and rights all wrongs; in

[1] Diary kept in Donop's command, written by himself or one of his aids. The narrative is very minute and exact. Unluckily I have but a part of it, from Dec. 10 to the end of the year 1776.

[2] Tagebuch eines Kurhessischen Officiers vom 7 October, 1776, bis 7 December, 1780. Wiederhold, the author, was at Trenton. Tagebuch des Hessischen Lieutenants Piel, v. 1776–1783, has a good sketch of Rall. Tagebuch des Johannes Reuber, a private soldier in the regiment Rall. Ewald's Feldzug der Hessen nach America.

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his untold sorrows, his trust in Providence kept up in his heart an under-song of wonderful sweetness. The spirit of the Most High dwells among the afflicted, rather than the prosperous; and he who has never broken his bread in tears knows not the heavenly powers.[1] The trials of Washington are the dark, solemn ground on which the beautiful work of his country's salvation was embroidered.

14. On the fourteenth of December, believing that Howe was on his way to New York, he resolved "to attempt a stroke upon the forces of the enemy, who lay a good deal scattered, and to all appearance in a state of security," as soon as he could be joined by the troops under Lee.[2] Meantime, he ob-

[1] "Wer nie sein Brod mit Thränen ass, Der kennt euch nicht," &c.

[2] When anything in the campaign went ill, there were never wanting persons to cast the blame on Washington; and there was always some pretender to the merit of what he did well. Washington, on his retreat from Princeton, formed the fixed design to turn upon the British as soon as he should be joined by Lee's division. "I shall face about and govern myself by the movements of General Lee," wrote Washington, Dec. 5, to congress. Sparks's Washington, iv. 202. Dec. 12, to Trumbull, Force, iii. 1186: "to turn upon the enemy and recover most of the ground they had gained." He shadowed out his purpose more definitely as soon as it was known that Howe had left Trenton. Dec. 14, to Trumbull, Washington, iv. 220: "a stroke upon the forces of the enemy, who lie a good deal scattered." The like to Gates, Dec. 14, in Force, iii. 1216. On the 26th, Robert Morris wrote of the attack on Trenton: "This manœuvre of the general had been determined on some days ago, but he kept it secret as the nature of the service would admit." How many days he does not specify; but Dec. 18, Marshall, a leading and well-informed patriot in Philadelphia, enters in his accurate diary, p. 122: "Our army intend to cross at Trenton into the Jerseys." A letter of the 19th, in Force, iii. 1295, says: "before one week." On the same 19th, Greene writes: "I hope to give the enemy a stroke in a few days." Force, iii. 1342. On the 20th, Washington writes: "The present exigency will not admit of delay in the field." On the 21st, Robert Morris writes to Washington: "I have been told to-day that you are preparing to cross into the Jerseys. I hope it may be true; . . . nothing would give me greater pleasure than to hear of such occurrences as your exalted merit deserves." Force, iii. 1331. On the same 21st, Robert Morris, by letter, communicated the design to the American commissioners in France, as a matter certainly resolved upon. Force, iii. 1333. The Donop jour-

tained exact accounts of New Jersey and its best military positions, from opposite Philadelphia to the hills at Morristown. Every boat was secured far up the little streams that flow to the Delaware; and his forces, increased by fifteen hundred volunteers from Philadelphia, guarded the crossing-places from the falls at Trenton to below Bristol. He made every exertion to threaten the Hessians on both flanks by militia, at Morristown on the north, and on the south at Mount Holly.

The days of waiting he employed in presenting congress with a plan for an additional number of battalions, to be raised and officered directly by the United States without the intervention of the several states; thus taking the first great step towards a real unity of government. On the twelfth he had written: "Perhaps congress have some hope and prospect of reënforcements. I have no intelligence of the sort, and wish to be informed on the subject. Our little handful is daily decreasing by sickness and other causes; and without considerable exertions on the part of the people, what can we reasonably look for? The subject is disagreeable; but yet it is true." On the sixteenth 16.

nal, in reporting the information which was furnished by General Grant's spy, and of which the substance was found among Rall's papers, appears to me to have reported nothing but what happened before any letter of the twenty-second could have been considered. The elaborate letter of Reed to Washington, Dec. 22, 1776, proves at most that Reed was not in the secret. As adjutant-general, his place was at Washington's side, if he was eager for action. Lord Bacon says: "Letters are good, when it may serve afterwards for a man's justification to produce his own letter." In 1782 Reed wished to produce this letter for his justification; and somehow or other garbled extracts from it found their way into Gordon, ii. 391, and into Wilkinson, i. 124, with a letter from Washington to Reed. Washington nowhere gives Reed credit for aid in the plan or execution of the affair at Trenton; nor does any one else who was concerned in the preparations for that action.

CHAP. XIII. 1776. Dec. 16. he continued: "I am more and more convinced of the necessity of raising more battalions for the new army than what have been voted. The enemy will leave nothing unessayed in the next campaign; and fatal experience has given its sanction to the truth, that the militia are not to be depended upon, but in cases of the most pressing emergency. Let us have an army competent to 20. every exigency." On the twentieth he grew more urgent: "I have waited with much impatience to know the determination of congress on the propositions made in October last for augmenting our corps of artillery. The time is come when it cannot be delayed without the greatest injury to the safety of these states, and, therefore, under the resolution of congress bearing date the twelfth instant, by the pressing advice of all the general officers now here, I have ventured to order three battalions of artillery to be immediately recruited. This may appear to congress premature and unwarrantable; but the present exigency of our affairs will not admit of delay, either in the council or the field. Ten days more will put an end to the existence of this army. If, therefore, in the short interval in which we have to make these arduous preparations, every matter that in its nature is self-evident is to be referred to congress, at the distance of a hundred and thirty or forty miles, so much time must elapse as to defeat the end in view.

"It may be said that this is an application for powers too dangerous to be intrusted; I can only say, that desperate diseases require desperate remedies. I have no lust after power; I wish with

as much fervency as any man upon this wide-extended continent for an opportunity of turning the sword into the ploughshare; but my feelings as an officer and as a man have been such as to force me to say, that no person ever had a greater choice of difficulties to contend with than I have. It is needless to add, that short enlistments, and a mistaken dependence upon militia, have been the origin of all our misfortunes, and of the great accumulation of our debt. The enemy are daily gathering strength from the disaffected. This strength will increase, unless means can be devised to check effectually the progress of his arms. Militia may possibly do it for a little while; but in a little while, also, the militia of those states which have been frequently called upon will not turn out at all; or if they do, it will be with so much reluctance and sloth as to amount to the same thing. Instance New Jersey! Witness Pennsylvania! The militia come in, you cannot tell how; go, you cannot tell when; and act, you cannot tell where; consume your provisions, exhaust your stores, and leave you at last at a critical moment.

"These are the men I am to depend upon ten days hence; this is the basis on which your cause must forever depend, till you get a standing army, sufficient of itself to oppose the enemy. This is not a time to stand upon expense. If any good officers will offer to raise men upon continental pay and establishment in this quarter, I shall encourage them to do so, and regiment them, when they have done it. If congress disapprove of this proceeding, they will please to signify it, as I

CHAP. XIII. 1776. Dec. 20. mean it for the best. It may be thought I am going a good deal out of the line of my duty, to adopt these measures, or to advise thus freely. A character to lose, an estate to forfeit, the inestimable blessings of liberty at stake, and a life devoted, must be my excuse."

24. On the twenty-fourth he resumed his warnings: "Very few have enlisted again, not more from an aversion to the service, than from the non-appointment of officers in some instances, the turning out of good and appointing of bad in others; the last of this month I shall be left with from fourteen to fifteen hundred effective men in the whole. This handful, and such militia as may choose to join me, will then compose our army. When I reflect upon these things, they fill me with concern. To guard against General Howe's designs, and the execution of them, shall employ my every exertion; but how is this to be done?

"The obstacles which have arisen to the raising of the new army from the mode of appointing officers, induce me to hope, that, if congress resolve on an additional number of battalions to those already voted, they will devise some other rule by which the officers, especially the field-officers, should be appointed. Many of the best have been neglected, and those of little worth and less experience put in their places or promoted over their heads."

On the same day, Greene wrote, in support of the new policy: "I am far from thinking the American cause desperate, yet I conceive it to be in a critical situation. To remedy evils, the general should have power to appoint officers to

enlist at large. The present existence of the civil depends upon the military power. I am no advocate for the extension of military power; neither would I advise it at present but from the fullest conviction of its being absolutely necessary. There never was a man that might be more safely trusted, nor a time when there was a louder call." Here was the proposed beginning of a new era in the war. Hitherto, congress had raised troops by requisitions on the states; and as their requisitions had failed, leave was now asked for Washington himself to recruit and organize two-and-twenty battalions for the general service under the authority of the union. CHAP. XIII. 1776. Dec. 24.

On the twentieth, the very day on which Franklin reached Paris, Gates and Sullivan arrived at head-quarters, at Newtown. The former was followed by five hundred effective men, who were all that remained of four New England regiments; but these few were sure to be well led, for Stark of New Hampshire was their oldest officer. Sullivan brought Lee's division, with which he had crossed the Delaware at Easton. 20.

No time was lost in preparing for the surprise of Trenton. Counting all the troops from head-quarters to Bristol, including the detachments which came with Gates and Sullivan and the militia of Pennsylvania, the army was reported at no more than six thousand two hundred men, and there were in fact not so many by twelve or fourteen hundred.[1] "Our numbers," said Washington, "are

[1] This enumeration gives a less number than the note in Washington, iv. 244. The discrepancy is thus accounted for: Lee's force

CHAP. XIII. 1776. Dec. 23.

less than I had any conception of; but necessity, dire necessity will, nay must, justify an attack." On the twenty-third, he wrote for the watchword: "VICTORY OR DEATH."[1] The like devoted spirit animates the words which were penned by Jay, and which the representatives of New York on that same day addressed to its people.

The general officers, especially Stirling, Mercer, Sullivan, and, above all, Greene, rendered the greatest aid in preparing the expedition; but the men who had been with Lee were so cast down and in want of everything, that the plan could not be ripened before Christmas night. Washington approved the detention at Morristown of six hundred New England men from the northern army; and sent Maxwell, of New Jersey, to take command of them and the militia collected at the same place, with orders to distress the enemy, to harass them in their quarters, to cut off their convoys, and if a detachment should move towards Trenton or the Delaware, to fall upon their rear and annoy them on their march. Griffin, with all the force he could concentre at Mount Holly, was to employ the Hessians under Donop. Ewing, with more than five hundred men, who lay opposite Trenton, was to cross near the town. Putnam was at the last mo-

was included in the return of Dec. 22, (compare Force, iii. 831 and 1402); the four New England regiments, said to have amounted to about twelve hundred, were raised by the highest rumor only to nine hundred, (Shippen in Force, iii. 1258,) and as they drew nearer were estimated at five hundred, (R. Morris in Force, iii. 1333); the return for the four regiments, made Nov. 9, (Force, iii. 702,) excluding those on command and the sick, was no more than five hundred and seventy-eight effective men; the numbers must have been reduced by six weeks' service and a winter's march from Ticonderoga to Pennsylvania.

[1] MS. diary of Benjamin Rush, who saw Washington write it.

ment to lead over a force from Philadelphia. The most important subsidiary movement was to be made with about two thousand troops from Bristol, and of this party Gates was requested to take the lead. "If you could only stay there two or three days, I should be glad," said Washington,[1] using the language of entreaty. CHAP. XIII. 1776. Dec. 23.

The country people were supine or hostile, and environed the camp with spies. But the British commander in New Jersey, though informed of the proposed attack on Trenton, and though the negroes in the town used to jeer at the Hessians that Washington was coming, persuaded himself there would be no crossing of the river with a large force, "because the running ice would make the return desperate or impracticable." "Besides," he wrote on the twenty-first, "Washington's men have neither shoes nor stockings nor blankets, are almost naked, and dying of cold and want of food. On the Trenton side of the Delaware they have not altogether three hundred men; and these stroll in small parties under a subaltern, or at most a captain, to lie in wait for dragoons."

The day before Christmas, Grant again sent word: "It is perfectly certain there are no more rebel troops in Jersey; they only send over small parties of twenty or thirty men; on the last Sunday, Washington told his assembled generals that the British are weak at Trenton and Princeton. I wish the Hessians to be on their guard against a sudden attack; but, at the same time, I give my opinion that nothing of the kind will be under- 24.

[1] Washington to Gates, Dec. 23. MS., communicated by G. H. Moore.

CHAP. XIII. 1776. Dec. 24.

taken." With equal assurance, Rall scoffed at the idea that Americans should dare to come against him; and Donop was so unsuspecting, that, after driving away the small American force from Mount Holly, where he received a wound in the head, he remained at that post to administer the oath of allegiance, and to send forward a party to Cooper's creek, opposite Philadelphia.

European confidence in the success of the British was at its height. "Franklin's troops have been beaten by those of the king of England," wrote Voltaire; "alas! reason and liberty are ill received in this world." Vergennes, indeed, saw with clearest vision the small results of the campaign; but the king was not disposed to take any decided step; and in reply to rumors favorable to the rebels, Stormont would say that he left their refutation to General Howe, whose answer would be as complete a one as ever was given. At Cassel, Howe was called another Cæsar, who came and saw and conquered. In England, some believed Franklin had come to France as a runaway for safety, others to offer terms. The repeated successes had fixed or converted "ninety-nine in one hundred." Burke never expected serious resistance from the colonies. "It is the time," said Rockingham, "to attempt in earnest a reconciliation with America." Even Lord North, who was apt to despond, thought that Cornwallis would sweep the American army before him, and that the first operations of the coming spring would end the quarrel.

At New York all was mirth and jollity. On his arrival, Howe met the messenger who, in return for

the victory on Long Island, brought him excessive encomiums from the minister and accumulated honors from the king. The young English officers were preparing to amuse themselves by the performance of plays at the theatre, for the benefit of the widows and children of sufferers by the war. The markets were well supplied; balls were given to satiety; and the dulness of evening parties was dispelled by the faro-table, where subalterns competed with their superiors, and ruined themselves by play. Howe fired his sluggish nature by wine and good cheer; his mistress spent his money prodigally, but the continuance of the war promised him a great fortune. The unrelenting refugees grumbled because Lord Howe would not break the law by suffering them to fit out privateers; and they envied the floods of wealth which poured in upon him from his eighth part of prize-money on captures made by his squadron. As the fighting was over, Cornwallis sent his baggage on board the packet for England. The brothers, who were in universal favor with the army, gave the secretary of state under their joint hands an assurance of the conquest of all New Jersey; and every one in New York was looking out for festivals on the investiture of Sir William Howe as knight of the Bath. His flatterers, full of his coming triumphs, wrote home that unless there should be more tardiness in noticing his merit, the king would very soon use up all the honors of the peerage in rewarding his victories.

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The day arrived for the concerted attack on the British posts along the Delaware; and complete 25.

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success could come only from the exact coöperation of every part. Gates was the first to fail, and, from wilful disobedience and want of hope and courage, turned his back on danger, duty, and honor. He disapproved of Washington's station above Trenton: the British would secretly construct boats, pass the Delaware in his rear, and take Philadelphia; so that he ought to retire to the south of the Susquehanna. Refusing the service asked of him, and eager to intrigue with congress at Baltimore, Gates, with Wilkinson, rode away from Bristol; and as they entered Philadelphia after dark on Christmas eve, they seemed to have penetrated a silent wilderness of streets, along which the tread of their horses resounded in all directions. Griffin had already abandoned New Jersey, flying before Donop; Putnam would not think of conducting an expedition across the river.

At nightfall, Cadwalader, who was left in sole command at Bristol, with honest zeal marched to Donk's ferry; it was the time of the full moon, but the clouds were thick and dark. For about an hour that remained of the ebb-tide the river was passable in boats, and Reed, who just then returned from a visit to Philadelphia, was able to cross on horseback; but the tide, beginning to rise, threw back the ice in such heaps on the Jersey shore, that, though men on foot still got over, neither horses nor artillery could reach the land. Sending back word that it was impossible to carry out their share in Washington's plan, Reed deserted the party, and rode to safe quarters within the enemy's lines at Burlington, having previously ob-

tained leave for a conference with Donop.[1] Meanwhile, during one of the worst nights of December, the men waited with their arms in their hands for the floating ice to open a passage; and only after vainly suffering for many hours, they returned to their camp, to shake the snow from their garments, and creep for rest into their tents, without fire or light. Cadwalader, and the best men about him, were confident that Washington, like themselves, must have given up the expedition. Ewing did not even make an effort to cross at Trenton; and Moylan, who set off on horseback to overtake Washington and share the honors of the day, be-

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[1] The Donop diary, which is remarkably precise, full, and accurate, alludes to Colonel Reed as having actually obtained a protection. The statement, though made incidentally, is positive and unqualified. Here are the extracts relating to Reed. Dec. 20: "Eodem wurde mit einer Flagge Truce an den Oberst v. Donop vom Rebellen-Obersten Reed, welcher zugleich General-Adjutant bei Washington ist, ein Brief überschickt, worinnen letzterer dem Obersten von Donop Namens des Gen. Washington proponirte: Ob es nicht gefällig, wegen Burlington des folgenden Tages mit ihm eine Unterredung zu halten, weil dieser Ort von beiden Seiten in der jetzigen Situation sehr exponirt wäre; dem Obersten Donop wurde Stunde und Ort zu dieser Unterredung zu bestimmen überlassen. Er antwortete sogleich darauf, dass seine dermalige Situation ihm nicht erlaube, sich von seinem Posten zu entfernen." Dec. 21: "Der Oberst Reed, der neulich eine Protection erhalten, seÿe dem General Mifflin entgegen gekommen, und habe demselben declarirt, dass er nicht gesonnen seÿ weiteres zu dienen, worauf ihm Mifflin sehr hart begegnete und ihm sogar einen dem Rascal geheissen habe." "Zugleich wurde des Oberst Reed's Brief, worin derselbe eine Unterredung wegen Burlington proponirte, und die darauf ertheilte Antwort communicirt. Es wäre nicht zu vermuthen dass die Rebellen, Mont Holly soutiniren und Burlington neutral declariren würden, indem letzterer Ort von der kleinen Insel vor Bristol mit 6 pfünd. beschossen und Mont Holly hingegen weggenommen werden könnte, wenn man nur wollte." Dec. 25: "Eodem schickt der Oberst v. Donop eine Flagge Truce nach Burlington, und offerirte dem Colonel Reed, die vorhin verlangte Unterredung wegen dieser Stadt mit ihm zu halten; es kam aber vom Oberst Cadwalader die Antwort zurück, dass Reed nicht gegenwärtig seÿ, und erst Morgen wieder zurück erwartet wäre, alsdenn erbitten würde, eine andere Zeit und Ort zu dieser Unterredung zu bestimmen."

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came persuaded that no attempt could be made in such a storm, and stopped on the road for shelter.

Superior impulses acted upon Washington and his devoted soldiers. From his wasted troops he could muster but twenty-four hundred men strong enough to be his companions; but they were veterans and patriots, chiefly of New England, Pennsylvania, and Virginia. Among his general officers were Greene and Mercer and Stirling and Sullivan; of field-officers and others, Stark of New Hampshire, Hand of Pennsylvania, Glover and Knox of Massachusetts, Webb of Connecticut, Scott and William Washington and James Monroe of Virginia, and Alexander Hamilton of New York. At three in the afternoon they all began their march, each man carrying three days' provisions and forty rounds; and with eighteen field-pieces they reached Mackonkey's ferry just as twilight began. The current was swift and strong, hurling along masses of ice. At the water's edge, Washington asked aloud: "Who will lead us on?" and the mariners of Marblehead stepped forward to man the boats. Just then a letter came from Reed, announcing that no help was to be expected from Putnam or the troops at Bristol; and Washington, at six o'clock, wrote this note to Cadwalader: "Notwithstanding the discouraging accounts I have received from Colonel Reed of what might be expected from the operations below, I am determined, as the night is favorable, to cross the river, and make the attack on Trenton in the morning. If you can do nothing real, at least create as great a diversion as possible." Hardly had these words been sent when

Wilkinson joined the troops, "whose route he had easily traced, by the blood on the snow from the feet of the men who wore broken shoes." He delivered a letter from General Gates. "From General Gates!" said Washington; "where is he?" "On his way to congress," replied Wilkinson. "On his way to congress!" repeated Washington, who had only given him a reluctant consent to go as far as Philadelphia. CHAP. XIII. 1776. Dec. 25.

At that hour an American patrol of twenty or thirty men, led by Captain Anderson to reconnoitre Trenton, made a sudden attack upon the post of a Hessian subaltern, and wounded five or six men. On the alarm, the Hessian brigade was put under arms, and a part of Rall's regiment sent in pursuit. On their return, they reported that they could discover nothing; the attack was like those which had been made repeatedly before, and was held to be of no importance. The post was strengthened; additional patrols were sent out; but every further apprehension was put to rest; and Rall passed the evening hours, till late into the night, by his warm fire, in his usual revels, while Washington was crossing the Delaware.

"The night," writes Thomas Rodney, "was as severe a night as ever I saw;" the frost was sharp, the current difficult to stem, the ice increasing, the wind high, and at eleven it began to snow. It was three in the morning of the twenty-sixth before the troops and cannon were all over; and another hour passed before they could be formed on the Jersey side. A violent northeast storm of wind and sleet and hail set in as they began their 26.

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nine miles' march to Trenton, against an enemy in the best condition to fight. The weather was terrible for men clad as the Americans were, and the ground slipped under their feet. For a mile and a half they must climb a steep hill, from which they descended to the road, that ran for about three miles between hills and through forests of hickory, ash, and black oak. At Birmingham the army was divided; Sullivan continued near the river, and Washington passed up into the Pennington road. While Sullivan, who had the shortest route, halted to give due time for the others to arrive, he reported to Washington by one of his aids, that the arms of his party were wet. "Then tell your general," answered Washington, "to use the bayonet, and penetrate into the town; for the town must be taken, and I am resolved to take it." The return of the aide-de-camp was watched by the soldiers, who raised their heads to listen; and hardly had he spoken, when those who had bayonets fixed them without waiting for a command.

It was now broad day. The slumber of the Hessians had been undisturbed; their patrols reported that all was quiet; and the night-watch of yagers had turned in, leaving the sentries at their seven advanced posts, to keep up the communication between their right wing and the left. The storm beat violently in the faces of the Americans; the men were stiff with cold and a continuous march of fifteen miles; but now when the time for the attack was come, they thought of nothing but victory. The battle was begun by Washington's party with an attack on the outermost picket on

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the Pennington road; the men with Stark, who led the van of Sullivan's party, immediately gave three heartening cheers, and with the bayonet rushed upon the enemy's picket near the river. A company came out of the barracks to protect the patrol; but surprised and astonished at the fury of the charge, they all, including the yagers, fled in confusion, escaping across the Assanpink, followed by the dragoons and the party which was posted near the river-bank. Washington entered the town by King and Queen streets, now named after Warren and Greene; Sullivan moved by the river-road into Second street, cutting off the way to the Assanpink bridge; and both divisions pushed forward with such equal ardor, as never to suffer the Hessians to form completely. The two cannon which stood in front of Rall's quarters were from the first separated from the regiment to which they belonged, and were not brought into the action. The Americans were coming into line of battle, when Rall made his appearance, received a report, rode up in front of his regiment, and, without presence of mind, cried out to them: "Forward, march; advance, advance," reeling in the saddle like one not yet recovered from a night's debauch. His own regiment made an attempt to form in the street; but before it could be done, a party pushed on rapidly and dismounted its two cannon, with no injury but slight wounds to Captain William Washington and James Monroe. Forest's American battery of six guns was opened upon two regiments at a distance of less than three hundred yards, under Washington's own direction.

CHAP. XIII. 1776. Dec. 26.

His position was near the front, a little to the right, a conspicuous mark for musketry; but he remained unhurt, though his horse was wounded under him. The moment for breaking through the Americans was lost by Rall, who drew back the Lossberg regiment and his own, but without artillery, into an orchard east of the town, as if intending to reach the road to Princeton by turning Washington's left. To check this movement, Hand's regiment was thrown in his front. By a quick resolve, the passage might still have been forced; but the Hessians had been plundering ever since they landed in the country; and loath to leave behind the wealth which they had amassed, they urged Rall to recover the town. In the attempt to do so, his force was driven by the impetuous charge of the Americans further back than before; he was himself struck by a musket-ball; and the two regiments were mixed confusedly together, and almost surrounded. Riding up to Washington, Baylor could now report: "Sir, the Hessians have surrendered;" on which Washington, whose strong will had been strained for seventeen hours, gave way to his feelings, and with clasped hands raised his eyes, gleaming with thankfulness, to heaven. The Knyphausen regiment, which had been ordered to cover the flank, strove to reach the Assanpink bridge through the fields on the southeast of the town; but losing time in extricating their two cannon from the morass, they found the bridge guarded on each side; and after a vain attempt to ford the rivulet, they surrendered to Lord Stirling on condition of retaining their swords and their

private baggage. The action, in which the Americans lost not one man, lasted thirty-five minutes. One hundred and sixty-two of the Hessians who at sunrise were in Trenton escaped, about fifty to Princeton, the rest to Bordentown; one hundred and thirty were absent on command; seventeen were killed. All the rest of Rall's command, nine hundred and forty-six in number, were taken prisoners, of whom seventy-eight were wounded. The Americans gained twelve hundred small-arms, six brass field-pieces, of which two were twelve-pounders, and all the standards of the brigade.

Until that hour, the life of the United States flickered like a dying flame. "But the Lord of hosts heard the cries of the distressed, and sent an angel for their deliverance," wrote the præses of the Pennsylvania German Lutherans. "All our hopes," said Lord George Germain, "were blasted by the unhappy affair at Trenton." That victory turned the shadow of death into the morning.

CHAPTER XIV.

ASSANPINK AND PRINCETON.

December 26, 1776—January, 1777.

CHAP. XIV. 1776. Dec. 26.

Had the combination of Washington worked together, he must have broken up the British posts on the Delaware and at Princeton; but by the failure of all the other parties, the fatigues of his own were doubled, for they could find no safety but in quickly recrossing the Delaware. Thus of the five remaining days' service of most of his troops, more than one half would be lost; and time was moreover given to the enemy to concentrate a superior force. But stern necessity was imperative. After snatching refreshments from the captured stores, the victorious troops, cumbered with nearly a thousand prisoners, and worn out by want of sleep and a night-march through snow and rain, set off again under sleet driven by a northeast wind, and passing another terrible night at the ferry, recovered their position beyond the river. Care and danger and hardship seemed to

nurse the health and fortitude of Washington; but Stirling and one half of the soldiers were disabled by the exposure for forty hours in the worst of weather, and two men were frozen to death. CHAP. XIV. 1776. Dec. 26.

The fugitive congress met at Baltimore in the darkest gloom; but Samuel Adams was there, foremost in hope and courage and influence, earnest for a measure of which the success was to gladden his soul. Up to this time congress had left on their journals the suggestion, that a reunion with Great Britain might be the consequence of a delay in France to declare immediately and explicitly in their favor. Before Washington crossed the Delaware, this temporizing policy was thrown aside; and before the victory at Trenton was known, it was voted to "assure foreign courts, that the congress and people of America are determined to maintain their independence at all events." Treaties of commerce were to be offered to Prussia, to Vienna, and to Tuscany; and the intervention of these powers was invoked, to prevent Russian or German troops from serving against the United States. At the same time a sketch was drawn for an offensive alliance with France and Spain against Great Britain. 24-30.

The independence which the nation pledged its faith to other countries to maintain, could be secured only through the army. On the twenty-sixth of December, the urgent letters of Washington and Greene were read in congress, and referred to Richard Henry Lee, Wilson, and Samuel Adams; the usual long debates and postponements were dispensed with; and on the next day, "congress having maturely considered the present crisis, and 26. 27.

CHAP. XIV. 1776. Dec. 27.

having perfect reliance on the wisdom, vigor, and uprightness of General Washington," resolved, that in addition to the eighty-eight battalions to be furnished by the separate states, he might himself, as the general of the United States, raise, organize, and officer sixteen battalions of infantry, three thousand light horsemen, three regiments of artillery, and a corps of engineers. Thus national troops, to be enlisted indiscriminately from all the people of all the states, were called into existence. The several states, in organizing their regiments, had given commissions to many incompetent men; Washington was further authorized to displace and appoint all officers under the rank of a brigadier-general, and to fill up all vacancies. He might also take necessaries for his army at an appraised value. These extraordinary trusts were vested in him for six months. The direct exercise of central power over the country as one indivisible republic was so novel, that he was said to have been appointed "dictator of America." This Germain asserted in the house of commons; this Stormont at Paris repeated to Vergennes. But the report was false;[1] congress granted only the permission to the general to enlist and organize, if he could, a solid increase of what was then but the phantom of an army. For the disaffected whom he received authority to arrest, he was directed to account to the states of which they were respectively citizens. The financial measures of the crisis were, authority to the commissioners in France to borrow two

[1] Letters of John Adams to his Wife, i. 206. Germain and Barré, in Almon's Debates, vii. 214, 216. Stormont to Weymouth, March 26, 1777.

millions sterling at six per cent. for ten years; vigorous and speedy punishments for such as should refuse to receive the continental currency; and an order, that "five millions of dollars be now emitted on the faith of the United States." Till the bills could be executed, Washington was left penniless even of paper money.

CHAP. XIV. 1776. Dec. 27.

An hour before noon on the twenty-seventh, Cadwalader at Bristol heard of Washington at Trenton, and took measures to cross into New Jersey. Hitchcock's remnant of a New England brigade could not move for want of shoes, stockings, and breeches; but these were promptly supplied from Philadelphia. Meantime Reed, who, under equal conditions, preferred the cause of America, and in the success at Trenton found relief from his moods of selfish despondency, reappeared in Bristol, never afterwards doubting to which side he should adhere; and in the days which followed, "he evidenced a spirit and zeal, which," to Washington, "appeared laudable and becoming."[1] By his advice the detachment under Cadwalader moved to Burlington, where they found no enemy; Donop, on hearing of the defeat of Rall, had precipitately retreated with all his force by way of Crosswicks and Allentown to Princeton, abandoning his stores and his sick and wounded at Bordentown.

Washington lost no time in renewing his scheme for driving the enemy to the extremity of New Jersey; and on the twenty-seventh he communicated his intention to Cadwalader. While his companions in arms were reposing, he was indefatigable in his

[1] Washington to Reed, September 15, 1782.

CHAP. XIV. 1776. Dec. 27. preparations. Intending to remain on the east side of the Delaware, he selected Morristown[1] as a place of refuge, and wrote urgent letters to Macdougall and Maxwell to collect forces at that point; for, said he, "if the militia of Jersey will lend a hand, I hope and expect to rescue their country." To Heath, who was receiving large reënforcements from New England, he sent orders to render aid by way of Hackensack. Through Lord Stirling he entreated the governor of New Jersey to convene the legislature of that state, and conform the appointments of their officers to merit. He took thought for the subsistence of the troops, which, when they should all be assembled, would form a respectable force. To cross the river was to rush into incalculable perils; not to cross the river would be a ruinous confession of weakness. On the 29. twenty-ninth, while his army, reduced nearly one half in effective numbers by fatigue in the late attack on Trenton, was crossing the Delaware, he announced to congress his purpose "to pursue the enemy and try to beat up their quarters." On the 30. thirtieth he repaired to Trenton; but the whole of his troops and artillery, impeded by ice, did not get over till the last day of the year.

That day the term of enlistment of the eastern regiments came to an end; to these veterans the same conditions as Pennsylvania allowed to her undisciplined volunteers were offered, if they would remain six weeks longer; and with one voice they instantly gave their word to do so, making no stip-

[1] Washington to Heath, December 28, 1776, in Force, iii. 1462: "at Morristown, . . . till they are joined by our regular troops."

ulations of their own.[1] The paymaster was out of money, and the public credit was exhausted by frequent vain promises; Washington pledged his own fortune, as did other officers, especially Stark of New Hampshire. Robert Morris had already sent up a little more than five hundred dollars in hard money, to aid in procuring intelligence; again Washington appealed to him with the utmost earnestness: "If it be possible, sir, to give us assistance, do it; borrow money while it can be done; we are doing it upon our private credit. Every man of interest, every lover of his country, must strain his credit upon such an occasion. No time, my dear sir, is to be lost." CHAP. XIV. 1776. Dec. 30.

At Quebec the last day of December was kept as a general thanksgiving for the deliverance of Canada; the Te Deum was chanted; in the evening the provincial militia gave a grand ball, and as Carleton entered, the crowded assembly broke out into loud cheers, followed by a song in English to his praise. He drank in the strain of triumph, not dreaming that the British secretary of state had already issued orders for his disgrace. 31.

After dismay and uncertain councils, Cornwallis, who had been prematurely crowned with the honors of victory, delayed his embarkation for Europe, and took command of the large forces collected at Princeton. At that hour, when the most urgent political and military reasons demanded the utmost energy and activity, that the British army might

[1] Gordon, ii. 398, writes: "Near one half went off before the critical moment." This is not correct. The critical days were Jan. 1, 2, 3, in which they all rendered the most essential service. Nor were they more in haste to leave Morristown, than the volunteers who were under the like engagements.

CHAP. XIV.

efface the catastrophe at Trenton, and reoccupy the posts on the Delaware by a force of unquestionable superiority, the sluggish Sir William Howe nestled lazily in his warm quarters at New York; and there he remained in comfortable indolence for nearly six months to come.

1776. Dec. 31.

1777. Jan. 1.

Very early on New-Year's morning, Robert Morris went from house to house in Philadelphia, rousing people from their beds to borrow money; and early in the day he sent Washington fifty thousand dollars, with the message: "Whatever I can do, shall be done for the good of the service; if further occasional supplies of money are necessary, you may depend upon my exertions either in a public or private capacity." To the president and to the committee of congress, Washington thus acknowledged the grant of unusual military power: "All my faculties shall be employed to advance those objects, and only those, which gave rise to this distinction. If my exertions should not be attended with success, I trust the failure will be imputed to the difficulties I have to combat, rather than to a want of zeal for my country and the closest attention to her interest." "Instead of thinking myself freed from all civil obligations by this mark of confidence, I shall constantly bear in mind, that as the sword was the last resort for the preservation of our liberties, so it ought to be laid aside when those liberties are firmly established. I shall instantly set about making the most necessary reforms in the army." This he wrote on New-Year's day, from Trenton, where he was attended by scarcely more than six hundred trusty men. He

had timely knowledge that full seven thousand veteran troops, including the reserve, other English regiments, Donop's brigade of Hessian grenadiers and Waldeckers, a small battalion formed of the remnants of Rall's brigade, Köhler's battalion fresh from New York with its heavy artillery, eight hundred Highlanders, and a regiment of light dragoons, were moving against him. He had ample time to pass beyond the Delaware; but he would not abandon New Jersey, which he was set to redeem: he might have found safety by joining Cadwalader whose force of eighteen hundred men held the strong post of Crosswicks, or Mifflin who had returned from his recruiting mission and was at Bordentown with eighteen hundred volunteers; but such a retreat would have stifled the new life of the country. In the choice of measures, all full of peril, he resolved to concentrate his forces at Trenton, and await the enemy. Obedient to his call, they joined him in part on the first of January, in part, after a night-march, on the second; making collectively an army of forty-eight hundred or five thousand men; but of these three fifths or more were merchants, mechanics, and farmers, ignorant of war, and just from their families and warm houses, who had rushed to arms in midwinter, inspired by hope and zeal to defy all perils and encounter battles by day and marches by night, with no bed but the frozen ground under the open sky.

CHAP. XIV. 1777. Jan. 1. 2.

Leaving three regiments and a company of cavalry at Princeton, where Donop had thrown up arrow-headed earthworks, Cornwallis on the second

CHAP. XIV. 1777. Jan. 2.

led the flower of the British army to encounter Washington. Donop[1] advised him to march in two divisions, so as to hold the direct and the round-about road between Princeton and Trenton; but he refused to separate his forces. The air was warm and moist, the road soft, so that their march was slow. They were delayed at Maidenhead by skirmishers. One brigade under Leslie remained at that place; while Cornwallis pressed forward with more than five thousand British and Hessians. At Five Mile run he fell upon Hand with his riflemen, who continued to dispute every step of his progress. At Shabbakong creek, the annoyance from troops secreted within the wood on the flanks of the road embarrassed him for two hours. On the hill less than a mile above Trenton, he was confronted by about six hundred musketeers and two skilfully managed field-pieces, supported by a detachment under Greene. This party, when attacked by the artillery of Cornwallis, withdrew in good order. Each side met with losses during the day; of the killed and wounded no trustworthy enumeration has been found. The British captured a faithless colonel of foreign birth, and probably some privates; the Americans took thirty prisoners.

At four in the afternoon, Washington, placing himself with the rear, conducted the retreat through the town, and passed the bridge over the Assanpink, beyond which the main body of his army stood in admirable array, silent in their ranks, protected by batteries. The enemy, as they pursued, were wor-

[1] Ewald's Beyspiele grosser Helden. Ewald was an excellent officer in the corps of yagers. What he relates of Donop's advice, he had from Donop. "Oberst Donop hat mich versichert," &c. &c.

ried by musketry from houses and barns; their attempt to force the bridge was repulsed. Cornwallis next sought to turn the flanks of the Americans; but the fords of the Assanpink could not be crossed without a battle. The moment was critical. The defeat of Washington might have crushed independence; the overthrow of the British army would have raised all New Jersey in their rear, and have almost ended the war. Late as it was in the day, Simcoe advised at once to pass over the Assanpink to the right of "the rebels," and bring on a general action; and Sir William Erskine feared that if it were put off, Washington might get away before morning. But the sun was nearly down; the night threatened to be foggy and dark; the British troops were worn out with skirmishes and a long march over deep roads; the aspect of the American army was imposing. Cornwallis, unwilling to take any needless risk, sent messengers in all haste for the brigade at Maidenhead, and for two of the three regiments at Princeton, and put off the fight till the next morning. The British army, sleeping by their fires, bivouacked on the hill above Trenton, while their large pickets were pushed forward along the Assanpink, to keep a close watch on the army of Washington. Confident in their vigilance, the general officers, "who all did wilfully expect the silver-threaded morn," thought their day's work done, and took their repose.

Not so Washington; for him there could be no rest. From his retreat through the Jerseys, and his long halt in the first week of December at Trenton, he knew the by-ways leading out of the

CHAP. XIV. 1777. Jan. 2.

place, and the cross-cuts and roads as far as Brunswick. He first ascertained by an exploring party that the path to Princeton on the south side of the Assanpink was unguarded.[1] He saw the need of avoiding a battle the next morning with Cornwallis; he also saw the need of avoiding it in a way to mark courage and hope. He knew that there were but few troops at Princeton; and he reasoned that Brunswick could have retained but a very small guard for its rich magazines. He therefore developed the plan which had existed in germ from the time of his deciding to reënter New Jersey, and prepared to turn the left of Cornwallis, overwhelm the party at Princeton, and push on if possible to Brunswick, or, if there were danger of pursuit, to seek the high ground at Morristown. Soon after dark he ordered all the baggage of his army to be removed noiselessly to Burlington. To the council of officers whom he convened, he proposed the circuitous march to Princeton. Mercer forcibly pointed out the advantages of the proposal; Saint Clair liked it so well, that in the failing memory of old age he took it to have been his own;[2] the adhesion of the council was unanimous.

[1] Ewald's Beyspiele grosser Helden. Ewald, who was a man of uprightness, vigilance, and judgment, is a great authority, as he was present. It does not impair the value of his statement, that, like many writers of the British army of that day, he misplaced Allentown. Many officers thought it lay on the round-about road to Princeton, and were driven from the country too soon to rectify their mistake. Compare Howe to Germain, Jan. 5, 1777; Annual Register, 18; Stedman, i. 236.

[2] Saint Clair's Narrative, 242, 243: "No one general officer except myself knew anything of the upper country." Now, Sullivan knew it better; as did all the officers of Lee's division, and Stark, Poor, Patterson, the New England Reed, and all the officers of their four regiments. Another writer, Reed's Mercer Oration, 34, 35, is out of the way in the advice he attributes to Mercer: "One course had not yet been thought of, and this was to order up the Philadel-

CHAP. XIV. 1777. Jan. 3.

Soon after midnight, sending word to Putnam to occupy Crosswicks, Washington began to move his troops in detachments by the roundabout road to Princeton. The wind veered to the northwest; the weather suddenly became cold; and the by-road, lately impracticable for artillery, was soon frozen hard. To conceal the movement, guards were left to replenish the American camp-fires. The night had as yet no light in the unmeasured firmament but the stars as they sparkled through the openings in the clouds; the fires of the British blazed round the hills on which they slumbered; the beaming fires of the Americans rose in a wall of flame along the Assanpink for more than half a mile, impervious to the eye, throwing a glare on the town, the rivulet, the tree-tops, the river, and the background. The drowsy British officer[1] who had charge of the night-watch let the flames blaze up and subside under fresh heaps of fuel, and saw nothing and surmised nothing.

Arriving about sunrise in the southeast outskirts of Princeton, Washington and the main body of the army wheeled to the right by a back road to the colleges; while Mercer was detached towards the west with about three hundred and fifty men, to break down the bridge over Stony brook, on the main road to Trenton. Two English regiments

phia militia," &c. &c. Washington had long before ordered up the Philadelphia militia, and they were at Trenton on the first of January. Sparks's Washington, iv. 258. Washington, always modest, claims the measure as his own. Ibid. 259. The statement in Ewald of Washington's having sent a party to reconnoitre the roundabout road is in harmony with this. Marshall, i. 131, assigns the bold design to Washington; so do Gordon, Ramsay, Hull, who had a special command, and I believe every one till Saint Clair, whom Wilkinson followed.

[1] Ewald's Abhandlung von dem Dienst der leichten Truppen, 121.

CHAP. XIV. 1777. Jan. 3.

were already on their march to join Cornwallis; the seventeenth with three companies of horse, under Mawhood, was more than a mile in advance of the fifty-fifth, and had already passed Stony brook. On discovering in his rear a small body of Americans, apparently not larger than his own, he recrossed the rivulet, and forming a junction with a part of the fifty-fifth and other detachments on their march, hazarded an engagement with Mercer. The parties were nearly equal in numbers; each had two pieces of artillery; but the English were fresh, while the Americans were weary from hunger and cold, the fatigues of the preceding day, their long night-march of eighteen miles, and the want of sleep. Both parties rushed toward the high ground that lay north of them, on the right of the Americans. A heavy discharge from the English artillery was returned by Neal from the American field-pieces. After a short but brisk cannonade, the Americans, climbing over a fence to confront the British, were the first to use their guns; Mawhood's infantry returned the volley, and soon charged with their bayonets; the Americans, for the most part riflemen without bayonets, gave way, abandoning their cannon. Their gallant officers, loath to fly, were left in their rear, endeavoring to call back the fugitives. In this way fell Haslet, the brave colonel of the Delaware regiment; Neal, who had charge of the artillery; Fleming, the gallant leader of all that was left of the first Virginia regiment; and other officers of promise; Mercer himself, whose horse had been disabled under him, was wounded, knocked down, and

CHAP. XIV. 1777. Jan. 3.

then stabbed many times with the bayonet. Just then, Washington, who had turned at the sound of the cannon, came upon the ground by a movement which intercepted the main body of the British fifty-fifth regiment. The Pennsylvania militia, supported by two pieces of artillery, were the first to form their line. "With admirable coolness and address," Mawhood attempted to carry their battery; the way-worn novices began to waver; on the instant, Washington, from "his desire to animate his troops by example," rode into the very front of danger, and when within less than thirty yards of the British, he reined in his horse with its head towards them, as both parties were about to fire; seeming to tell his faltering forces that they must stand firm, or leave him to confront the enemy alone. The two sides gave a volley at the same moment; when the smoke cleared away, it was thought a miracle that Washington was untouched. By this time Hitchcock, for whom a raging hectic made this day nearly his last, came up with his brigade; and Hand's riflemen began to turn the left of the English; these, after repeated exertions of the greatest courage and discipline, retreated before they were wholly surrounded, and fled over fields and fences up Stony brook. The action, from the first conflict with Mercer, did not last more than twenty minutes. Washington on the battle-ground took Hitchcock by the hand, and, before his army, thanked him for his service.

Mawhood left on the ground two brass field-pieces, which, from want of horses, the Americans could not carry off. He was chased three or four

CHAP. XIV. 1777. Jan. 3.

miles, and many of his men were taken prisoners; the rest joined Leslie when his brigade came up from Maidenhead.

While the larger part of the army was engaged with the troops under Mawhood, the New England regiments of Stark, Poor, Patterson, Reed, and others, drove back the fifty-fifth, which, after a gallant resistance and some loss, retreated with the fortieth to the college. Pieces of artillery were brought up to play upon them; but to escape certain capture they fled in disorder across the fields into a back road towards Brunswick. Had there been cavalry to pursue, they might nearly all have been taken.

The British lost on that day about two hundred killed and wounded, and two hundred and thirty prisoners, of whom fourteen were British officers. The American loss was small, except of officers; but Mercer, who was mortally wounded, stood in merit next to Greene, and by his education, abilities, willing disposition, and love for his adopted country, was fitted for high trusts.

At Trenton, on the return of day, the generals were astonished at not seeing the American army; and the noise of the cannon at Princeton first revealed whither it was gone. In consternation for the safety of the magazines at Brunswick, Cornwallis roused his army, and began a swift pursuit. His advanced party from Maidenhead reached Princeton, just as the town was left by the American rear. It had been a part of Washington's original plan to seize Brunswick, which was eighteen miles distant; but many of his brave soldiers, such

is the concurrent testimony of English and German officers as well as of Washington, were "quite barefoot, and were badly clad in other respects;" all were exhausted by the unabated service and fatigue of two days and a night, from action to action, without shelter, and almost without refreshment; and the British were close upon their rear. So with the advice of his officers, after breaking up the bridge at Kingston over the Millstone river, Washington turned towards the highlands, and halted for the night at Somerset court-house. There, in the woods, worn-out men sank down on the bare, frozen ground, and fell asleep without regard to the cold; an easy prey, had Cornwallis had the spirit to pursue them. CHAP. XIV. 1777. Jan. 3.

The example and the orders of Washington roused the people around him to arms, and struck terror into all detached parties of the British. On the fifth, the day of his arrival at Morristown, a party of Waldeckers, attacked at Springfield by an equal number of the New Jersey militia under Oliver Spencer, were put to flight with a loss of forty-eight, of whom thirty-nine were left as prisoners. In the afternoon of the same day, as George Clinton with troops from Peekskill was approaching Hackensack, the British force withdrew from the place, saving their baggage by a timely flight. Newark was abandoned; Elizabethtown was surprised by General Maxwell, who took much baggage and a hundred prisoners. 5.

The eighteenth, which was the king's birthday, was chosen for investing Sir William Howe with the order of the Bath. The ceremony was shorn 18.

CHAP. XIV. 1777. Jan. 18. of its glory, for it was a mockery to call him now a victorious general; and both he and the secretary of state already had a foresight of future failure, for which each of them was preparing to throw the blame on the other. In the midst of the rejoicings, news came that Heath had brought down a party of four thousand New York and New England militia to the neighborhood of Kingsbridge, and with foolish bombast had summoned Fort Independence. The British laughed at his idle and farcical threats, which he made no attempt to fulfil; his coming did not even disturb the fireworks and the feast in the city; and he soon afterwards made a hasty and timid retreat before the shadow of danger. He, as indeed more than half the American major-generals, was thought unworthy of his high command.

But in New Jersey, all continued to go well. 20. On the twentieth, General Philemon Dickinson, with about four hundred raw troops, forded the Millstone river, near Somerset court-house, and defeated a foraging party, taking a few prisoners, forty wagons, and sheep and cattle, and upwards of a hundred horses of the English draught breed. New Jersey was nearly free; the British held only Brunswick and Amboy and Paulus-hook. Washington made his head-quarters at Morristown; and in that town and the surrounding villages, his troops found shelter; the largest encampment was in Spring valley on the southern slope of Madison hill; his outposts extended to within three miles of Amboy; and weak as was his army, the woods, the hills, and the rivers formed a barrier against

an attack in winter, though Howe recalled more than a brigade of British troops from Rhode Island.

Jan. 20. Under the last proclamation of the brothers, two thousand seven hundred and three Jerseymen, besides eight hundred and fifty-one in Rhode Island, and twelve hundred and eighty-two in the rural districts and city of New York, subscribed a declaration of fidelity to the British king; on the fourteenth of January, just as its limited period was about to expire, Germain, who grudged every act of mercy, sent orders to the Howes, not to let "the undeserving escape that punishment which is due to their crimes, and which it will be expedient to inflict for the sake of example to futurity." Eleven days after the date of this unrelenting order, Washington, the harbinger and champion of union, was in a condition to demand, by a proclamation in the name of the United States, that those who had accepted British protections "should withdraw within the enemy's lines, or take the oath of allegiance to the United States of America." On the promulgation of this order the civil difficulty from a conflict of sovereignties was felt anew, and Clark, a member of congress from New Jersey, interposed the cavil, that "an oath of allegiance to the United States was absurd before confederation." Washington, from the moment of the declaration of independence, acted persistently for one common country embracing all the independent states; but congress and the people were so far behind him, that it fell to each state to outlaw those of its inhabitants who refused allegiance

25.

CHAP. XIV. 1777. Jan.

to its single self, as if the Virginian owed fealty only to Virginia, the Jerseyman only to New Jersey

The results of the campaign were inauspicious for the British. Their indiscriminate rapacity, which spared neither friend nor foe, the terrible excesses of their lust, the unrestrained passion for destruction, changed the people of New Jersey from spectators of the war, so supine that not more than a hundred of them had joined Washington in his retreat, to active partisans, animated by the zeal and courage which exasperation at personal injuries, the love of liberty and property, the regard for the sanctity of home, and the impulse to avenge wrong, could inspire.

New England except the island of Rhode Island, all central, northern, and western New York except Fort Niagara, all the country from the Delaware to Florida, were free from the invaders, who had acquired only the islands that touched New York harbor, and a few adjacent outposts, of which Brunswick and the hills round Kingsbridge were the most remote. For future operations they had against them the vast extent of the coast, and the forest, which was ever recurring between the settlements. Whenever they passed beyond their straitened quarters, they were exposed to surprises, skirmishes, and hardships. They were wasted by incessant alarms and unremitting labor; their forage and provisions were purchased at the price of blood.

The contemporary British historians of the war have not withheld praise from Washington's masterly conduct and daring enterprise. His own army

loved their general, and had nothing against him but the little care he took of himself while in action. Cooper of Boston is the witness, that "the confidence of the people everywhere in him was beyond example." In congress, which had already much degenerated, and had become distracted by selfish schemers, there were signs of impatience at his superiority, and an obstinate reluctance to own that the depressed condition of the country was due to their having refused to heed his advice. To a proposition for giving him power to name generals, John Adams objected vehemently, saying: "In private life I am willing to respect and look up to him; in this house I feel myself to be the superior of General Washington." Samuel Adams once wrote: "I have always been so very wrong-headed as not to be over well pleased with what is called the Fabian war in America." The temper of the body is best seen by their resolves of the twenty-fourth of February, when they voted to Washington mere "ideal reënforcements," and then, after an earnest debate, in which some of the New England delegates and one from New Jersey showed a willingness to insult him, they expressed their "earnest desire" that he would "not only curb and confine the enemy within their present quarters, but, by the divine blessing, totally subdue them before they could be reënforced." Well might Washington reply: "What hope can there be of my effecting so desirable a work at this time? The whole of our numbers in New Jersey fit for duty is under three thousand." The absurd paragraph was carried by a bare majority, in which

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Richard Henry Lee brought up Virginia to the side of the four Eastern states, against the two Carolinas, New Jersey, and Pennsylvania.

There were not wanting members who penetrated the nature of the contest and were just to the worth of Washington. "He is the greatest man on earth," wrote Robert Morris from Philadelphia, on the first of February. From Baltimore, William Hooper, the representative from North Carolina, thus echoed back his words: "Will posterity believe the tale? When it shall be consistent with policy to give the history of that man from his first introduction into our service, how often America has been rescued from ruin by the mere strength of his genius, conduct, and courage, encountering every obstacle that want of money, men, arms, ammunition, could throw in his way, an impartial world will say with you that he is the greatest man on earth. Misfortunes are the element in which he shines; they are the groundwork on which his picture appears to the greatest advantage. He rises superior to them all; they serve as foils to his fortitude and as stimulants to bring into view those great qualities which his modesty keeps concealed. I could fill the side in his praise; but anything I can say cannot equal his merits."

CHAPTER XV.

THE CONSTITUTIONS OF THE SEVERAL STATES OF AMERICA.

1776—1783.

HAD the decision of the war hung on armies alone, America might not have gained the victory; but the contest involved the introduction into political life of ideas which had long been hovering in the atmosphere of humanity, and which the civilized world assisted to call into action. The law of continuity was unbroken. The spirit of the age moved the young nation to own justice as antecedent and superior to the state, and to found the rights of the citizen on the rights of man. And yet, in regenerating its institutions it was not guided by any speculative theory, or laborious application of metaphysical distinctions. Its form of government grew naturally out of its traditions by the simple rejection of all personal hereditary authority, which in America had never had much more than a representative existence. Its people were industrious and frugal; accustomed to the cry of liberty

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and property, they harbored no dream of a community of goods; and their love of equality never degenerated into envy of the rich. No successors of the fifth-monarchy men proposed to substitute an unwritten higher law, interpreted by individual conscience, for the law of the land and the decrees of human tribunals. The people proceeded with self-possession and moderation, after the manner of their ancestors. Their large inheritance of English liberties saved them from the necessity and from the wish to uproot their old political institutions; and as happily the scaffold was not wet with the blood of their statesmen, there was no root of a desperate hatred of England, such as the Netherlands kept up for centuries against Spain. The wrongs inflicted or attempted by the British king were felt to have been avenged by independence; respect and affection remained behind for the parent land, from which the United States had derived trial by jury, the writ for personal liberty, the practice of representative government, and the separation of the three great coördinate powers in the state. From an essentially aristocratic model America took just what suited her condition, and rejected the rest. Thus the transition of the colonies into self-existent commonwealths was free from vindictive bitterness, and attended by no violent or wide departure from the past.

In all the states it was held that sovereignty resides in the people; that the majesty of supreme command belongs of right to its collective intelligence; that royalty is the attribute of its reason; that government is to be originated by its im-

pulse, organized by its consent, and conducted by its embodied will; that it alone possesses the living energy out of which all powers flow forth, and to which they all return; that it is the sole legitimate master, to name, directly or indirectly, every one of the officers in the state, and bind them as its servants to work only for its good.

The American people went to their great work of building up the home of humanity without misgiving. They were confident that the judgment of the sum of the individual members of the community was the safest criterion of truth in public affairs. They harbored no fear that the voice even of a wayward majority would be more capricious or more fallible than the good pleasure of an hereditary monarch; and, unappalled by the skepticism of European kings, they proceeded to extend self-government over regions which, in all previous ages, had been esteemed too vast for republican rule. They were conscious of long and varied experience in representative forms; and of all the nations on earth they were foremost in the principles and exercise of popular power. The giant forms of monarchies on their way to ruin cast over the world their fearful shadows; it was time to construct states in the light of truth and freedom, on the basis of inherent, inalienable right.

England was "a land of liberty;" this is her glory among the nations. It is because she nurtured her colonies in freedom, that, even in the midst of civil war, they cherished her name with affection; it is because her example proved that the imperishable principles of mental and civil freedom can

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form the life of government, that she has endeared herself forever to the human race.

Of the American statesmen who assisted to frame the new government, not one had been originally a republican. They had been as it were seized by the godlike spirit of freedom, and compelled to advance its banner. But if the necessity of constructing purely popular institutions came upon them unexpectedly, the ages had prepared for them the plans for their task, and the materials with which they were to build.

The recommendations to form governments proceeded from the general congress; the work was done by the several states, in the full enjoyment of self-direction. South Carolina and Massachusetts each claimed to be of right a free, sovereign, and independent state; each bound its officers by oath to bear to it true allegiance, and to maintain its freedom and independence.

Massachusetts, which was the first state to conduct a government independent of the king, following the resolution of congress, deviated as little as possible from the letter of its charter; and, assuming that the place of governor was vacant from the nineteenth of July, 1775, it recognised the council as the legal successor to executive power. On the first day of May, 1776, in all commissions and legal processes, it substituted the name of its "government and people" for that of the
1777. king. In June, 1777, its legislature thought itself warranted by instructions to prepare a constitution; but on a reference to the people, the act was disavowed. In September, 1779, a convention which

the people had authorized framed a constitution. It was in a good measure the compilation of John Adams, who was guided by the English constitution, by the bill of rights of Virginia, and by the experience of Massachusetts herself; and this constitution, having been approved by the people, went into effect in 1780. 1779. 1780.

On the fifth of January, 1776, New Hampshire formed a government with the fewest possible changes from its colonial forms, like Massachusetts merging the executive power in the council. Not till June, 1783, did its convention form a more perfect instrument, which was approved by the people, and established on the thirty-first of the following October. 1776. 1783.

The provisional constitution of South Carolina dates from the twenty-sixth of March, 1776. In March, 1778, a permanent constitution was established by a simple act of the legislature, without any consultation of the people. 1776. 1778.

Rhode Island enjoyed under its charter a form of government so thoroughly republican, that independence of monarchy in May, 1776, required no change beyond a renunciation of the king's name in the style of its public acts. A disfranchisement of Catholics had stolen into its book of laws; but so soon as it was noticed, the clause was expunged. 1776.

In like manner, Connecticut had only to substitute the people of the colony for the name of the king; this was done provisionally on the fourteenth of June, 1776, and made perpetual on the tenth of the following October.

Before the end of June of the same year we saw

CHAP. XV. 1776. Virginia, sixth in the series, first in the completeness of her work, come forth with her bill of rights, her declaration of independence, and her constitution, adopted at once by her legislative convention without any further consultation of the people.

On the second of July, 1776, New Jersey perfected its new, self-created charter.

Delaware next proclaimed its bill of rights, and on the twentieth of September, 1776, finished its constitution, the representatives in convention having been chosen by the freemen of the state for that very purpose.

The Pennsylvania convention adopted its constitution on the twenty-eighth of September, 1776; but the opposition which it received alike from the Quakers, whom it indirectly disfranchised, and from a large body of patriots, delayed its thorough organization for more than five months.

The delegates of Maryland, meeting on the fourteenth of August, 1776, framed its constitution with great deliberation, and it was established on the ninth of the following November.

On the eighteenth of December, 1776, the constitution of North Carolina was openly ratified in the congress by which it had been framed.

1777. On the fifth of February, 1777, Georgia, the twelfth state, perfected its organic law by the unanimous agreement of its convention.

Last of the thirteen came New York, whose empowered convention, on the twentieth of April, 1777, established a constitution, that, in the largeness of its humane liberality, excelled them all.

In elective governments which sprung from the

recognition of the freedom of the individual, every man might consistently claim the right of contributing by his own reason his proportionate share of influence in forming the collective reason which was to rule the state. Such was the theory; in practice, no jealous inquiry was raised respecting those who should actually participate in this sovereignty. The privilege of the suffrage had been far more widely extended in the colonies than in England; in most of the thirteen states, no discontent broke out at existing restrictions, and no disposition was manifested to depart from them abruptly by an immediate equalization of the primary political functions. The principle of the revolution involved an indefinite enlargement of the number of the electors, which could have no other term than universal suffrage; but, by general consent, the consideration of the subject was postponed. The age of twenty-one was universally required as a qualification. So, too, was residence, except that in Virginia and South Carolina it was enough to own in the district or town a certain freehold or "lot." South Carolina required of the electors to "acknowledge the being of a God, and to believe in a future state of rewards and punishments." White men alone could claim the franchise in Virginia, in South Carolina, and in Georgia; but in South Carolina a benign interpretation of the law classed the free octaroon as a white, even though descended through an unbroken line of mothers from an imported African slave; the other ten states raised no question of color. In Pennsylvania, in New Hampshire, and partially in North

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Carolina, the right to vote belonged to every resident tax-payer; in Georgia, to any white inhabitant "being of any mechanic trade;" with this exception, Georgia and all the other colonies required the possession of a freehold, or of property variously valued, in Massachusetts at about two hundred dollars, in Georgia at ten pounds. But similar conditions had always existed, with the concurrence or by the act of the colonists themselves; so that the people felt no sense of a wrongful innovation, and the harmony of the state was not troubled.

Maryland prescribed as its rule, that votes should be given by word of mouth; Virginia and New Jersey made no change in their former usage; Rhode Island had a way of its own, analogous to its charter: each freeman was in theory expected to be present in the general court; he therefore gave his proxy to the representative, which was done by writing his name on the back of his vote; all others adopted the ballot, New York at the end of the war, the other eight without delay.

The first great want common to all was a house of representatives, so near the people as to be the image of their thoughts and wishes, so numerous as to appear to every individual voter as his direct counterpart, so frequently renewed as to insure swift responsibility. Such a body every one of the British colonies had enjoyed. They now gained an absolute certainty as to the times of meeting of the assemblies, an unalterable precision in the periods of election, and in some states a juster distribution of representation. In theory, the houses of legis-

lation should everywhere have been in proportion to numbers; and for this end a census was to be taken at fixed times in Pennsylvania and New York; but in most of the states old inequalities were continued, and even new ones introduced. In New England, the several towns had from the first enjoyed the privilege of representation, and from a love of equality this custom was retained; in Virginia, the counties and boroughs in the low country, where the aristocracy founded in land and slaves had its seat, secured an undue share of the members of the assembly; the planters of Maryland, jealous of the growing weight of Baltimore, set an arbitrary and most unequal limit to the representation of that city; in South Carolina, for seven years Charleston was allowed to send thirty members, and the parishes near the sea took almost a monopoly of political power; after that period, representatives were to be proportioned according to the number of white inhabitants and to the taxable property in the several districts. In South Carolina the assembly was chosen for two years; everywhere else for but one. To the assembly was reserved the power of originating taxes. In Georgia, the delegates to the continental congress had a right to sit, debate, and vote in its house of assembly, of which they were deemed to be a part.

Franklin would have one legislative body, and no more; he approved the decision of the framers of the constitution of Pennsylvania to repose all legislative power in an uncontrolled assembly. This precedent was followed in Georgia. From all the experience of former republics, John Adams argued for a legisla-

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ture with two branches. But the Americans of that day neither listened to the theories of Franklin, nor to the lessons from history of John Adams; finding themselves accustomed almost from the beginning to a double legislative body, eleven of the thirteen states adhered to the ancient usage. In constructing the coördinate branch of the legislature, they sought to impart greater weight to their system and to secure its conservation. This branch, whether called a senate, or legislative council, or board of assistants, was less numerous than the house of representatives. In the permanent constitutions of Massachusetts and New Hampshire, the proportion of public taxes paid by a district was regarded in the assignment of its senatorial number; in New York and North Carolina, the senate was elected by a narrower constituency than the assembly. In six of the eleven states the senate was chosen annually; but the period of service in South Carolina embraced two years, in Delaware three, in New York and Virginia four, in Maryland five. To increase the dignity and fixedness of the body, Virginia, New York, and Delaware gave it permanence by renewing, the first two one fourth, Delaware one third, of its members annually. Maryland, which of all the states showed the strongest desire to preserve political importance to the large proprietors of land, prescribed a double election for its senate. Once in five years the several counties, the city of Annapolis, and Baltimore town, chose, *viva voce*, their respective delegates to an electoral body, each member of which was "to have in the state real or personal property above the value of five hun-

dred pounds current money." These electors were to elect by ballot "six out of the gentlemen residents of the eastern shore," and "nine out of the gentlemen residents of the western shore" of the Chesapeake bay; the fifteen "gentlemen" thus chosen constituted the quinquennial senate of Maryland, and themselves filled up any vacancy that might occur in their number during their term of five years. This is the most deliberate measure which was devised to curb or balance popular power, and marks the reluctance with which its authors parted from their institutions under the crown of England.

Each state had its governor or president, as in the days of monarchy; but the source of his appointment was changed, and his powers abridged. In the four New England states he was chosen directly by all the primary electors, which is the safest way in a republic; in New York, by the freeholders who possessed freeholds of the value of two hundred and fifty dollars; in Georgia, by the representatives of the people; in Pennsylvania, by the joint vote of the council and assembly, who were confined in their selection to the members of the council; in the other six states, by the joint ballot of the two branches of the legislature.

Except in Pennsylvania, a small property qualification was usually required of a representative; more, of a senator; most, of a governor. New York required only that its governor should be a freeholder; Massachusetts, that his freehold should be of the value of about thirty-three hundred dollars; New Hampshire required but half as

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much; South Carolina, that his plantation or freehold, counting the slaves "settled" upon it, should be of the value of forty-two thousand eight hundred dollars in currency.

In New York and Delaware the governor was chosen for three years; in South Carolina for two; in all the rest for only one. South of New Jersey the capacity of reëlection was left unrestricted; in those states which were most republican there was no such restriction; in Massachusetts, Connecticut, and Rhode Island, a governor was often reëlected for a long succession of years.

In the declaration of independence, the king was complained of for having refused his assent to wholesome laws: the jealousy fostered by long conflicts with the crown led to the general refusal of a negative power to the governor. The thoughtful men who devised the constitution of New York established the principle of a conditional veto; a law might be negatived, and the veto was final, unless it should be passed again by a majority of two thirds of each of the two branches. New York unwisely confided the negative power to a council, of which the governor formed but one; Massachusetts in 1779 improved upon the precedent, and placed the conditional veto in the hands of the governor alone. In her provisional form South Carolina clothed her executive chief with a veto power; but in the constitution of 1778 it was abrogated. In all the other colonies the governor either had no share in making laws, or had only a casting vote, or at most a double vote in the least numerous of the two branches.

The legislative branch was the centre of the system; nowhere had the governor power to dissolve the legislature, or either branch of it, and so appeal directly to the people; and on the other hand, the governor, once elected, could not be removed during his term of office except by impeachment.

In most of the states, all important civil and military officers were elected by the legislature. The scanty power intrusted to a governor, wherever his power was more than a shadow, was still further restrained by an executive council, formed partly after the model of the British privy council, and partly after colonial precedents. In the few states in which the governor had the nomination of officers, particularly in Massachusetts and New Hampshire, they could be commissioned only with the consent of council. In New York, the appointing power, when the constitution did not direct otherwise, was confided to the governor and a council of four senators, elected by the assembly from the four great districts of the state; and in this body the governor had "a casting voice, but no other vote." This worst arrangement of all, so sure to promote faction and intrigue, was the fruit of the deliberate judgment of wise and disinterested statesmen, in their zeal for securing administrative purity. Whatever sprung readily from the condition and intelligence of the people, had enduring life; while artificial arrangements, like this of the council of appointment in New York and like the senate of Maryland, though devised by earnest statesmen of careful education and great endowments, pined from their birth, and soon died away.

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The third great branch of government was in theory kept distinct from the other two. In Connecticut and Rhode Island, some judicial powers were exercised by the governor and assistants; the other courts were constituted by the two branches of the legislature. In Massachusetts and New Hampshire, the governor, with the consent of council, selected the judges; in New York, the council of appointment; but for the most part they were chosen by the legislature. In South Carolina, Massachusetts, and New Hampshire, a judge might be removed, as in England, upon the address of both houses of the legislature, and this proved the wisest practical rule; in New York he must retire at the age of sixty; in New Jersey and Pennsylvania the supreme court was chosen for seven years, in Connecticut and Rhode Island for but one; in Delaware, Maryland, Virginia, and North Carolina, the tenure of the judicial office was good behavior; in Maryland, even a conviction in a court of law was required before removal. Powers of chancery belonged to the legislature in Connecticut and Rhode Island; in South Carolina, to the lieutenant-governor and the privy council; in New Jersey, the governor and council were the court of appeals in the last resort. The courts were open to all, without regard to creed or race.

The constitution of Massachusetts required a system of universal public education as a vital element in the state. The measure was a bequest from their fathers, endeared by a long experience of its benefits, and supported by the reflective

judgment of the people. As yet, the system was established nowhere else except in Connecticut. Pennsylvania aimed at no more than "to instruct youth at low prices." The difference between the two systems was infinite. The first provided instruction at the cost of the state for every child within its borders, and bound up its schools in its public life; while the other only proposed to dole out a bounty to the poor.

How to secure discreet nominations of candidates for high office was cared for only in Connecticut. There, twenty men were first selected by the vote of the people; and out of these twenty, the people at a second election set apart twelve to be the governor and assistants. This method was warmly recommended by Jay to the constituent convention of New York.

Thus far the American constitutions bore a close analogy to that of England. The English system was an aristocracy, partly hereditary, partly open, partly elective, with a permanent executive head; the American system was in idea an elective government of the best. Some of the constitutions required the choice of persons "best qualified," or "persons of wisdom, experience, and virtue." These clauses were advisory; the suffrage was free, and it was certain from the first that water will not rise higher than its fountain, that untrammelled elections will give a representation of the people as they are; that the adoption of republican institutions, though it creates and quickens the love of country, does not change the nature of man, or quell the fierceness of selfish passion. Timid states-

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men were anxious to introduce some palpable element of permanence by the manner of constructing a council or a senate; but there was no permanence except of the people. The people, with all its greatness and all its imperfections, was immortal, or at least had perpetual succession; its waves of thought, following eternal laws, were never still, flowing now with gentle vibrations, now in a sweeping flood; and upon that mighty water the fortunes of the state were cast.

That nothing might be wanting to the seeming hazard of the experiment, that nothing might be wanting to the certainty of its success, full force was given to one principle which was the supreme object of universal desire. That which lay nearest the heart of the American people, that which they above all demanded, from love for freedom of inquiry, and from the earnestness of their convictions, was not the abolition of hereditary monarchy and hereditary aristocracy, not universal suffrage, not the immediate emancipation of slaves; for more than two centuries the plebeian Protestant sects had sent up the cry to heaven for freedom to worship God. To the panting for this freedom half the American states owed their existence, and all but one or two their increase in free population. The immense majority of the inhabitants of the thirteen colonies were Protestant dissenters; and from end to end of their continent, from the rivers of Maine and the hills of New Hampshire to the mountain valleys of Tennessee and the borders of Georgia, one voice called to the other, that there should be no connection of the

church with the state, that there should be no establishment of any one form of religion by the civil power, that "all men have a natural and unalienable right to worship God according to the dictates of their own consciences and understandings." With this great idea the colonies had travailed for a century and a half; and now, not as revolutionary, not as destructive, but simply as giving utterance to the thought of the nation, the states stood up in succession, in the presence of one another, and before God and the world, to bear their witness in favor of restoring independence to conscience and the mind. Henceforward, worship was known to the law only as a purely individual act, a question removed from civil jurisdiction, and reserved for the conscience of every man.

In this first grand promulgation by states of the "creation-right" of mental freedom, some shreds of the old system still clung round the new; but the victory was gained, and in the mind of the collective American people was already complete. The declaration of independence rested on "the laws of nature and of nature's God;" in the separate American constitutions, New York, the happy daughter of the ancient Netherlands, true to her lineage, and not misled by the recollections of the Huguenots, did, "in the name of" her "good people, ordain, determine, and declare the free exercise of religious profession and worship, without discrimination or preference, to all mankind;" for the men of this new commonwealth felt themselves "required, by the benevolent principles of national liberty, not only to expel civil tyranny, but also

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to guard against that spiritual oppression and intolerance wherewith the bigotry and ambition of weak and wicked princes have scourged mankind." So does one century avenge the wrongs done to humanity in another; here, Louis the Fourteenth of France, and Bossuet, could they come back to this life, might read the American reply to the sorrowful revocation of the edict of Nantes. And the vengeance was sublime; for independent New York with even justice secured to the Catholic equal liberty of worship, and equal civil franchises. New York almost alone had no religious test for office. Her liberality was wide as the world and as the human race. Henceforth no man on her soil was to suffer political disfranchisement for creed, or lineage, or color; the conscious memory of her people confirms, what honest history must ever declare, that at the moment of her assertion of liberty she placed no constitutional disqualification whatever on the free black. Even the emancipated slave gained instantly with his freedom equality before the constitution and the law. New York placed restrictions on the suffrage and on eligibility to office; but those restrictions applied alike to all.

The establishment of freedom of conscience, which brought with it absolute freedom of mind, of inquiry, of speech, and of the press, was, in the several states, the fruit, not of philosophy, but of the memories of the plebeian Protestant sects and the natural love of freedom. Had the Americans been skeptics, had they wanted faith, they could

have founded nothing. Let not the philosopher hear with scorn, that their constitutions were so completely the offspring of the past, and not the phantasms of theories, that at least seven of them required some sort of religious test as a qualification for office. In Maryland and Massachusetts, it was enough to declare "belief in the Christian religion;" in South Carolina and Georgia, in "the Protestant religion;" in North Carolina, "in God, the Protestant religion, and the divine authority of the Old and of the New Testament;" in Pennsylvania, the test was "a belief in God, the creator and governor of the universe, the rewarder of the good and punisher of the wicked," with a further acknowledging "the scriptures of the Old and New Testament to be given by divine inspiration." Beside this last acknowledgment, Delaware required the officer to "profess faith in God the Father, Jesus Christ his only Son, and the Holy Ghost, one God, blessed for evermore."

These restrictions were incidental reminiscences of ancient usages and dearly cherished creeds, not vital elements of the constitutions, and were opposed to the bent of the American mind. For a season, in the states where they were established, they created discussions, chiefly on the full enfranchisement of the Catholic and of the Jew; and they were eliminated, almost as soon as their inconvenience arrested attention. At first, the Jew was eligible to office only in Rhode Island, New York, New Jersey, and Virginia; the Catholic in those states, and in Massachusetts, Pennsylvania, Delaware, Maryland, and perhaps in Connecticut. But the

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great result was accomplished from the beginning; the church no longer formed a part of the state; and religion, ceasing to be a servant of the government, or an instrument of dominion, asserted its independence, and became a life in the soul. Public worship was voluntarily sustained. The church, no longer subordinate to a temporal power, regained its unity by having no visible head, and becoming the affair of the conscience of each individual. Nowhere was persecution for religious opinion so nearly at an end as in America, and nowhere was there so religious a people. In this universal freedom of conscience and of worship, America, composed as it was of emigrants from many countries, found its nationality; for nationality is not an artificial product, and can neither be imparted nor taken away.

There were not wanting those who cast a lingering look on the care of the state for public worship. The conservative convention of Maryland declared, that "the legislature may in their discretion lay a general and equal tax for the support of the Christian religion, leaving to each individual the appointing the money collected from him to the support of any particular place of public worship or minister;" but the power granted was never exercised. For a time, Massachusetts required of towns or religious societies "the support of public Protestant teachers of piety, religion, and morality," of their own election; but as each man chose his own religious society, the requisition had no effect in large towns, and was hardly felt elsewhere as a grievance. In Connecticut, the Puritan

worship was still closely interwoven with the state, and had moulded the manners, habits, and faith of the people; but the complete disentanglement was gradually brought about by inevitable processes of legislation.

Where particular churches had received gifts or inheritances, their right to them was respected. In Maryland and South Carolina, the churches, lands, and property that had belonged to the Church of England, were secured to that church in its new form; in Virginia, where the Church of England had with unexampled strictness been established as a public institution, the disposition of its glebes was assumed by the legislature; and as all denominations had contributed to their acquisition, they came to be considered as the property of the state. Tithes were nowhere continued; and the rule prevailed, that "no man could be compelled to maintain any ministry contrary to his own free will and consent." South Carolina, in her legislation on religion, attempted to separate herself from the system of the other states; she alone appointed a test for the voter, and made this declaration: "The Christian Protestant religion is hereby constituted and declared to be the established religion of this state." But the condition of society was stronger than the constitution, and this declaration proved but the shadow of a system that was vanishing away.

The complete separation of the church and the state by the establishment of perfect religious equality was followed by the wonderful result, that the separation was approved of everywhere, always, and by all. The old Anglican church,

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which became known as the Protestant Episcopal, wished to preserve its endowments, and might complain of their impairment; but it preferred ever after to take care of itself, and was glad to share in that equality which dispelled the dread of episcopal tyranny, and left it free to perfect its organization according to its own desires. The Roman Catholic eagerly accepted in America his place as an equal with Protestants, and soon found contentment and hope in his new relations. The rigid Presbyterians proved in America the supporters of religious freedom. They were true to the spirit of the great English dissenter who hated all laws that were formed

> To stretch the conscience, and to bind
> The native freedom of the mind.

In Virginia, where alone there was an arduous struggle in the legislature, the presbytery of Hanover took the lead for liberty, and demanded the abolition of the establishment of the Anglican church, and the civil equality of every denomination; it was supported by the voices of Baptists and Quakers and all the sects that had sprung from the people; and after a contest of eight weeks, the measure was carried, by the activity of Jefferson, in an assembly of which the majority were Protestant Episcopalians. Nor was this demand by Presbyterians for equality confined to Virginia, where they were in a minority; it was from Witherspoon of New Jersey that Madison imbibed the lesson of perfect freedom in matters of conscience. When the constitution of that state was framed by a convention composed chiefly of Presbyterians, they estab-

lished perfect liberty of conscience, without the blemish of a test.[1] Freethinkers might have been content with toleration, but real religious conviction would accept nothing less than equality. The more profound was faith, the more it scorned to admit a connection with the state; for such a connection being inherently vicious, the state might more readily form an alliance with error than with truth, with despotism over mind than with freedom.

The determination to leave truth to her own strength, and religious worship to the conscience and voluntary act of the worshipper, was the natural outflow of religious feeling. The dissenters and plebeian sects who had found an asylum in the American wilderness, the inheritors from Milton, and George Fox, and Penn, and Baxter, and Bunyan, revealed to the world the secret of the eighteenth century.

The constitution of Georgia declared, that "estates shall not be entailed, and when a person dies intestate, his or her estate shall be divided equally among the children." The same principle prevailed essentially in other states, in conformity to their laws and their manners, and was not open to contradiction. But it was otherwise in Virginia. There, a system of entails, enforced with a vigor unknown in the old country, had tended to make the possession of great estates, especially to the east of the Blue ridge, the privilege of the first-born. In Eng-

[1] Section 18 of the New Jersey constitution of 1776. The 19th section secured "to all persons professing a belief in the faith of any Protestant sect" all civil rights "enjoyed by others their fellow-subjects." There was no disfranchisement of those not "of any Protestant sect;" and no test was required of any one.

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land, the courts of law permitted entails to be docked by fine and recovery; in 1705 Virginia prohibited all such innovations, and the tenure could be changed by nothing less than a special statute. In 1727 it was further enacted, that slaves might be attached to the soil, and be entailed with it. These measures riveted an hereditary aristocracy, founded not on learning or talent or moral worth or public service, but on the possession of land and slaves. It was to perfect the republican institutions of Virginia by breaking down this aristocracy, that Jefferson was summoned from the national congress to a seat in the assembly of his native state. On the twelfth of October, 1776, he obtained leave to bring in a bill for the abolishment of entails; and against the opposition of Edmund Pendleton, who was no friend to innovations, all donees in tail, by the act of this first republican legislature of Virginia, were vested with the absolute dominion of the property entailed.

To complete the reform it was necessary to change the rules of descent, so that the lands of an intestate might be divided equally among his representatives; and this was effected through a committee, of which Jefferson, Pendleton, and Wythe were the active members, and which was charged with the revision of the common law, the British statutes still valid in the state, and the criminal statutes of Virginia. The new law of descent was the work of Jefferson; and the candid historian of Virginia approves the graceful symmetry of the act which abolished primogeniture, and directed property into "the channels which

the head and heart of every sane man would be prone to choose."

In the low country of Virginia, and of the states next south of it, the majority of the inhabitants were bondmen of another race and skin, except where modified by mixture. The courts of Virginia would not recognise a right of property in the future increase of slaves; the revisers of her laws, George Mason, Jefferson, Pendleton, Wythe, condemned slavery itself, especially Mason, in words that thrilled with the agony of sorrowing earnestness. It is the testimony of Jefferson that an amendatory bill was prepared, "to emancipate all slaves born after passing the act;" but the details of the bill were impossible of execution, and nothing came of it. Delaware, in her constitution, prepared her ultimate liberation from the terrible evil by declaring free every person thereafter imported into the state from Africa, and by forbidding the introduction of any slave for sale. Nowhere was slavery formally established in the constitution as a permanent social relation; the unshackled power of emancipation was left to the legislature of every state.

Provision was made for reforming the constitutions which were now established. The greatest obstacles were thrown in the way of change in Pennsylvania, where the attempt could be made only once in seven years by the election of a council of censors; the fewest in South Carolina, where the majority of a legislature which was no adequate representative of the people expressly assumed to itself and its successors original, independent, and final constituent power.

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The British parliament, in its bill of rights, had only summed up the liberties that Englishmen in the lapse of centuries had acquired, or had wrested from their kings; the Americans opened their career of independence by a declaration of the self-evident rights of man; and this, begun by Virginia, was repeated, with variations, in every constitution formed after independence, except that of South Carolina. In that state, the amended constitution breathed not one word for universal freedom, made no assertion of human rights, and no longer affirmed that the people is the source of power. Pennsylvania, Massachusetts, and New Hampshire proclaimed that all men are born free, and as a consequence were the first to get rid of slavery; Georgia recognised rights derived to Americans from "the laws of nature and reason;" at the bar of humanity and the bar of the people, South Carolina alone remained silent.

Here, then, we have the prevailing idea of political life in the United States. On the one hand, they continued the institutions received from England with as little immediate change as possible; and on the other, they desired for their constitutions a healthy, continuous growth. They accepted the actual state of society as the natural one resulting from the antecedents of the nation; at the same time, they recognised the right of man to make unceasing advances towards realizing political justice, and the public conscience yearned for a nearer approach to ideal perfection. Civil power remained, under slight modifications, with those who had held it before; but for their inviolable rule in

its exercise, they were enjoined to take the general principles derived from the nature of man and the eternal reason. No one thought it possible to introduce by a decree the reign of absolute right. To have attempted to strike down all evil at one blow would have been to attempt to strike down human society itself; for, from the nature of man, imperfection clings to all the works of his hands. The American statesmen were not misled by this attractive but delusive hope, even while they held that their codes of law and their constitutions should reflect ever more and more clearly the equality and brotherhood of man.

America neither separated abruptly from the past, nor adhered to its decaying forms. The principles that gave life to the new institutions pervaded history like a prophecy. They did not compel a sudden change of social or of internal political relations; but they were as a light shining more and more brightly into the darkness. In a country which enjoyed freedom of conscience, of inquiry, of speech, of the press, and of government, the universal intuition of truth promised a never-ending career of progress and reform.

CHAPTER XVI.

PREPARATIONS OF EUROPE FOR THE CAMPAIGN OF 1777. FRANCE AND HOLLAND.

DECEMBER, 1776 — MAY, 1777.

CHAP. XVI. 1776. Dec.

WHILE Washington was toiling under difficulties without reward, a rival in Europe aspired to his place. The Count de Broglie, disclaiming the ambition of becoming the sovereign of the United States, insinuated his willingness to be for a period of years its William of Orange, provided he could be assured of a large grant of money before embarkation; an ample revenue, the highest military rank, and the direction of foreign relations during his command; and a princely annuity for life after his return. The offer was to have been made through Kalb,[1] the former emissary of Choiseul in the British colonies: the acknowledged poverty of the new republic scattered the great man's short-lived dream; but Kalb, though

[1] Lettre du Comte de Broglie à de Kalb, à Ruffec, le 11 Décembre, 1776, communicated to me in MS. by Frederic Kapp. See Kapp's Kalb, 88.

in his fifty-sixth year, affluent, and happy in his wife and children, remained true to an engagement which in company with Lafayette he had taken with Deane to serve as a major-general in the insurgent army. In him the country gained an officer who had ability and experience, spoke English well, and, though no enthusiast, was active and devoted to duty. When the American commissioner told Lafayette plainly that the credit of his government was too low to furnish the volunteers a transport, "Then," said the young man, "I will purchase one myself;" and, glad to be useful where he had before only shown zeal, at his own cost he bought and secretly freighted the "Victory," which was to carry himself, the veteran Kalb, and twelve other French officers to America. During the weeks of preparation, he made a visit to England. At the age of nineteen it seemed to him an amusement to be presented to the king against whom he was going to fight; but he declined the king's offer of leave to inspect the British navy-yards.

After a stormy passage of thirty days, during which his ship, the "Reprisal," had been chased by British cruisers, and had taken two British brigantines as prizes, Franklin came within sight of France; and on the seventh of December, he reached Nantes. His arrival took Europe by surprise, as no notice of his mission had preceded him. The story was spread in England, that he was a fugitive for safety. "I never will believe," said Edmund Burke, "that he is going to conclude a long life, which has brightened every hour it has

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continued, with so foul and dishonorable a flight." All Europe at once inferred, that a man of his years and great name would not have crossed the Atlantic but in the assured hope of happy results. The sayings that fell from him at Nantes ran through Paris and France; and on his word the nation eagerly credited what it wished to find true, that not even twenty successful campaigns could reduce the Americans; that their irrevocable decision was made; that they would be forever an independent state, and the natural ally of France. His manner was frank; and yet, when he had spoken, his silence raised expectation that he had still weightier words to utter.

Lord Stormont, the British ambassador, was constantly protesting against the departure of French ships, laden with military stores, for America. He now demanded the restoration of the two prizes brought in to Nantes with Franklin, arguing from the law of nations, that no prize can be a lawful one unless made under the authority of some sovereign power, whose existence has been acknowledged by other powers, and evidenced by treaties and alliances. "You cannot expect us," replied Vergennes, "to take upon our shoulders the burden of your war; every wise nation places its chief security in its own vigilance." "The eyes of Argus," said Stormont, "would not be too much for us." "And if you had those eyes," answered Vergennes, "they would only show you our sincere desire of peace." Stormont complained that French officers were embarking for America. "The French nation," replied Vergennes, "has a turn for adven-

ture." The ambassador saw, and reported, that his vigorous and incessant remonstrances were little heeded. Even Maurepas, who professed to aim at preserving peace, was drawn along by his easiness of temper, his love of artifice, and the desire to maim the British by secret wounds. To strike the nation's rival, covertly or openly, was the sentiment of nearly every Frenchman except the king. Artois, the king's second brother, avowed his good-will for the Americans, and longed for a war with England. "We shall be sure to have it," said his younger brother to a friend of the Americans.

Franklin reached Paris on the twenty-first of December, and was welcomed with wonderful unanimity. His fame as a philosopher, his unfailing good-humor, the dignity, self-possession, and ease of his manners, the plainness of his dress, his habit of wearing his straight, thin, gray hair without powder, contrary to the fashion of that day in France, acted as a spell. The venerable impersonation of the republics of antiquity seemed to have come to accept the homage of the gay capital. The national cry was in favor of the "insurgents," for so they were called, and never rebels; their cause was the cause of all mankind; they were fighting for the liberty of France in defending their own. Some of the constitutions of the colonies, separating the state from the church, and establishing freedom of worship, were translated, and read with rapture. Those who lived under arbitrary power did not disguise their longing for freedom. The friends of Choiseul, who heaped civilities on Franklin, were persistent in their clamors

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that now was the happy moment for France to take a lasting revenge on her haughty enemy. But Franklin betrayed no symptoms of sharing their impatience, avoiding jealousies by keeping the company of men of letters, and appearing to be absorbed in the pursuits of science.

Meantime the policy of the court unfolded itself. In the morning of the twenty-eighth, the three American commissioners waited by appointment on Vergennes. He assured them protection, read their commissions, and received the plan of congress for a treaty with France. Vergennes spoke freely to the commissioners of the attachment of the French nation to their cause. Prizes taken under the American flag might be brought into French ports, with such precautions as would invalidate complaints from Great Britain. Of Franklin he requested a paper on the condition of America. Their future intercourse he desired might be most strictly secret, without the intervention of any third person. He added that as France and Spain were perfectly in accord, they might communicate freely with the Spanish ambassador.

The Count de Aranda, then fifty-eight years old, was of the grandees of Aragon. By nature proud, impetuous, restless, and obstinate, he had never disciplined his temper, and his manners were ungenial. A soldier in early life, he had been attracted to Prussia by the fame of Frederic; he admired Voltaire, D'Alembert, and Rousseau; and in France he was honored for his superiority to superstition. His haughty self-dependence and force of will just fitted him for the service of Charles the

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Third in suppressing the riots of Madrid and driving the Jesuits from Spain. As an administrative reformer he began with too much vehemence; but thwarted by the stiff formalities of officials, and the jealousies of the clerical party, he withdrew from court to fill the embassy at Paris, where he was tormented by an unquiet eagerness for more active employment. His system was marked by devotedness to the French alliance, and hatred of England, on whose prosperity and power he longed to see France and Spain inflict a mortal blow. But he was a daring schemer and bad calculator, rather than a creative or sagacious statesman; and on much of the diplomatic business with France, relating to America, he was not consulted.

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On the twenty-ninth of December, 1776, and again six days later, the American commissioners held secret but barren interviews with Aranda. He could only promise American privateers, with their prizes, the same security in Spanish ports which they found in those of France; he had no authority to expound the intentions of his king; his opinions, which passionately favored the most active measures in behalf of America, were known at Madrid, and passed unheeded. He did not deceive the sagacity of Franklin, who always advised his country "to wait with dignity for the applications of others, and not go about suitoring for alliances;" but a few weeks later, Arthur Lee, in his eagerness to negotiate with Spain, took from Aranda a passport for Madrid.

1777. Jan.

On the fifth of January, the commissioners presented to Vergennes a written request for eight

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ships of the line, for ammunition, brass field-pieces, and twenty or thirty thousand muskets. The reasoning was addressed alike to France and Spain: "The interest of the three nations is the same; the opportunity of securing a commerce, which in time will be immense, now presents itself; if neglected, it may never return; delay may be attended with fatal consequences." This paper excited no interest in the Spanish government, which was only anxious to secure the exclusive commerce of its own colonies, and did not aspire to that of the United States. At Versailles, the petition was reported to the king, in the presence of Maurepas, and made the subject of the calmest deliberation; and on the thirteenth, Gerard, meeting the commissioners by night, at a private house in Paris, read to them the careful answer which had received the royal sanction. The king could furnish the Americans neither ships nor convoys, for such a partiality would be a ground of war, into which he would not be led but by methods analogous to the dignity of a great power, and by the necessity of his important interests. "Time and events must be waited for, and provision made to profit by them. The United Provinces," so the new republic was styled, "may be assured, that neither France nor Spain will make them any overture that can in the least contravene their essential interests; that they both, wholly free from every wish for conquests, always have singly in view to make it impossible for the common enemy to injure the United Powers. The commercial facilities afforded in the ports of France and Spain, and the tacit diversion of the

two powers whose expensive armaments oblige England to divide her efforts, manifest the interest of the two crowns in the success of the Americans. The king will not incommode them in deriving resources from the commerce of his kingdom, confident that they will conform to the rules prescribed by the precise and rigorous meaning of existing treaties, of which the two monarchs are exact observers. Unable to enter into the details of their supplies, he will mark to them his benevolence and good-will by destining for them secret succors which will assure and extend their credit and their purchases."

Jan.

Of this communication, which was due to the confidence inspired by Franklin, — of Arthur Lee Vergennes did not so much as notice the name, — the promises were faithfully kept. Half a million of livres was paid to the banker of the commissioners quarterly, the first instalment on the sixteenth. After many ostensible hindrances, the "Seine," the "Amphitrite," and the "Mercury," laden with warlike stores by Deane and Beaumarchais, were allowed to set sail. Of these, the first was captured by the British; but the other two reached their destination in time for the summer campaign. The commissioners were further encouraged to enter into a contract with the farmers-general to furnish fifty-six thousand hogsheads of tobacco; and on this contract they received an advance of a million livres. Thus they were able to send warlike supplies to America.

To France the British ministry sent courteous remonstrances; towards the weaker power of Hol-

Feb.

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land they were overbearing. A commerce existed between St. Eustatius and the United States: the British admiral at the Leeward islands was "ordered to station proper cruisers off the harbor of that island, and to direct their commanders to search all Dutch ships and vessels going into or carrying out of the said harbor, and to send such of them as shall be found to have any arms, ammunition, clothing, or materials for clothing on board, into some of his majesty's ports, to be detained until further orders."[1] The king "perused, with equal surprise and indignation," the papers which proved that the principal fort on the island had returned the salute of the American brigantine "Andrew Doria," and that the governor had had "the insolence and folly"[2] to say: "I am far from betraying any partiality between Great Britain and her North American colonies."[3] The British ambassador at the Hague, following his instructions, demanded of their high mightinesses the disavowal of the salute and the recall of the governor: "till this satisfaction is given, they must not expect that his majesty will suffer himself to be amused by simple assurances, or that he will hesitate for an instant to take the measures that he shall think due to the interests and dignity of his crown."[4] This language of contempt and menace incensed all Holland, especially the city of Amsterdam; and a just resentment influenced the decision of the States and of the

[1] Suffolk to the Lords of the Admiralty, 15 Feb. 1777.

[2] Suffolk to Sir Joseph Yorke, 14 Feb. 1777.

[3] De Graaf, governor of St. Eustatius, to Mr. President Greathead, 23 Dec. 1776.

[4] Memorie van den heer Yorke te 's Gravenhage. Exhibitum den 21 Februarÿ, 1777.

Prince of Orange. Van de Graaf, the governor, who was the first person abroad to salute the congress colors with their thirteen stripes,[1] was recalled; but the States returned the paper of Yorke,[2] and the Dutch minister in London made answer directly to the king, complaining of "the menacing tone of the memorial, which appeared to their high mightinesses too remote from that which is usual, and which ought to be usual, between sovereigns and independent powers."[3] "I am pretty callous," wrote Yorke privately to the foreign office; "a long residence in these marshes has not blinded me in favor of Nic Frog."[4] As the result, the States demanded a number of armed ships to be in readiness; and thus one step was taken towards involving the United Provinces in the war.

The measures sanctioned by the king of France were a war in disguise against England; but he professed to be unequivocally for peace, and was so dull as not to know that he was forfeiting his right to it. After long research, with the best opportunities, I cannot find that on any one occasion he expressed voluntary sympathy with America; and he heard the praises of Franklin with petulance. It was the philosophic opinion of France which swayed the cabinet to the side of the young republic. Since Turgot and Malesherbes had been discharged, there was no direct access for that opinion to give advice to the monarch; and it now

[1] Deposition of James Fraser: "The congress colors, with thirteen stripes in them." "It [the salute] was by the governor's order."

[2] Franklin, viii. 208.

[3] Missive van den heer J. W. v. Welderen te Londen aan den Griffier der Staten Generaal, dat. 28 Maart, 1777. Bÿlage, recepta 1 April, 1777.

[4] Sir Joseph Yorke to William Eden, 18 April, 1777.

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penetrated the palace through the intrigues of the author of "Figaro." With profuse offers to Maurepas of devoted service, and a wish to make his administration honored by all the peoples of the world, Beaumarchais, on the thirtieth of March, besought him imploringly to overcome his own hesitation and the scruples of the king, in words like these:

"Listen to me, I pray you. I fear above all, that you underrate the empire which your age and your wisdom give you over a young prince whose heart is formed, but whose politics are still in the cradle. You forget too much that this soul, fresh and firm as it may be, has many times been bent, and even brought back from very far. You forget that as dauphin Louis the Sixteenth had an invincible dislike to the old magistracy, and that their recall honored the first six months of his reign. You forget that he had sworn never to be inoculated, and that eight days after the oath he had the *virus* in his arm. There is no one who does not know it, and no one who excuses you for not using the proudest right of your office, that of giving effect to the great things which you bear in your soul. I shall never have a day of true happiness if your administration closes without accomplishing the three grandest objects which can make it illustrious: the abasement of the English by the union of America and France, the reëstablishment of the finances, and the concession of civil existence to the Protestants of the kingdom by a law which shall legally commingle them with all the subjects of the king.

These three objects are to-day in your hands. What successes can more beautifully crown your noble career? After such action, death would be no more: the dearest life of man, his reputation, survives over all, and becomes eternal."[1]

The disfranchisement of Protestants already began to be modified: the office of comptroller-general, of which the incumbent was required to take an oath to support the Catholic religion, was abolished in favor of the Calvinist, Necker, a rich Parisian banker, by birth a republican of Geneva, the defender of the protective system against Turgot; and on the second of July, after a novitiate as an assistant, he was created director-general of the finances, but without a seat in the cabinet. The king consented because he was told that the welfare of France required the appointment; Maurepas was pleased, for he feared no rivalry. As an able and incorrupt financier, Necker brought aid to the credit of the government; he boldly promised to provide for a war of two years without new taxes; but he was not suited to become a leading statesman, for his vanity could get the better of his public spirit.

The king could not suppress the zeal that prevailed in France, though "he would break out into a passion whenever he heard of help furnished to the Americans."[2] After a stay of three weeks on the north side of the channel, Lafayette travelled, with Kalb as his companion, from Paris to Bordeaux. He and his party hastened in the

[1] Copie de ma lettre à M. le Comte de Maurepas du 30 May, 1777, in Beaumarchais to Vergennes, 30 March, 1777, in French Archives, Angleterre, T. ccccexxii. The date of May in the copy should be March.

[2] Words of Count d'Artois, as reported by Stormont.

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"Victory" to escape from France to the Spanish port of Los Pasages. There he received the order of the king to give up his expedition; but after some vacillation, and a run to Bordeaux and back, he braved the order, and, on the twenty-sixth of April, embarked for America. The English lay in wait for him, eager to consign him to a prison;[1] but he escaped their devices. To his young wife, whom he left far advanced in her second pregnancy, he wrote on board the "Victory," at sea: "From love to me become a good American; the welfare of America is closely bound up with the welfare of all mankind; it is about to become the safe asylum of virtue, tolerance, equality, and peaceful liberty." The women of Paris applauded his heroism; the queen gave him her admiration; public opinion extolled "his strong enthusiasm in a good cause;" the indifferent spoke of his conduct as "a brilliant folly." "The same folly," said Vergennes, "has turned the heads of our young people to an inconceivable extent."

He was soon followed by Casimir Pulaski, a Polish nobleman illustrious in Europe for his virtues and his misfortunes. In the war for the independence of his native land, he lost his father and his brothers. After his attempt to carry off the king of Poland, his property was confiscated, and he was sentenced to outlawry and death; and now he lived in exile at Marseilles, in the utmost destitution, under an adopted name. Through Rul-

[1] Sir Joseph Yorke to William Eden, April 18, 1777: "I like your plan for the accommodation of M. de Lafayette, and had rather he was so lodged, than stopped at St. Sebastian's."

hière, the historian of Poland, Vergennes paid his debts and recommended him to Franklin, who gave him a conveyance to the United States, and explained to congress how much he had done for the freedom of his country. Stormont called him "an assassin," as he had called the American deputies malefactors that deserved the gallows.

In April and May, Joseph the Second of Austria passed six weeks at Paris. In conversation he was either silent on American affairs, or took the side which was very unpopular in the French capital;[1] excusing himself to the Duchess of Bourbon by saying: "I am a king by trade;" nor would he permit a visit from Franklin and Deane, or even consent to meet them in his walks; though he received from the Tuscan minister, the Abbé Niccoli, who was a zealous abettor of the cause of the insurgents, a paper justifying their conduct, and explaining the extent of their resources.

Ships were continually leaving the ports of France for the United States, laden with all that they most needed, and American trading vessels were received and protected. Care was taken to preserve appearances, so that the British government, which knew very well what was doing, might not be compelled to declare war against France, for each nation wished to postpone hostilities. When Stormont remonstrated, a ship bound for America would be stopped, and if warlike stores were found on board, would be compelled to unload them; but presently the order would be forgotten, the ship would take in its cargo and set sail, and

[1] Stormont to Suffolk, 22 May, 1777.

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the ever-renewed complaints of the English ambassador would be put aside by the quiet earnestness of Vergennes and the polished levity of Maurepas.

The use made by American privateers of every convenient French harbor was a more defiant violation of public law. The king refused to seize and restore their prizes; but orders were given that American privateers should be admitted into French harbors only in cases of extreme urgency, and should be furnished with no more than enough to enable them to regain their own ports. For all that, the "Reprisal," after replenishing its stores at Nantes, cruised off the French coast, and its five new prizes, one of which was the royal packet between Lisbon and Falmouth, were unmoored in the harbor of L'Orient, the captain giving out that he intended to send them to America. Stormont hurried to Vergennes to demand that the captive ships, with their crews and cargoes, should be delivered up. "You come too late," said Vergennes; "orders have already been sent that the American ship and her prizes must instantly put to sea." The "Reprisal" continued its depredations till midsummer, when it was caught by the British; but before its capture, two other privateers were suffered to use French harbors as their base. The facts were open; the excuses deceived no one; the rule of public law was not questioned. Stormont remonstrated incessantly, and sometimes with passion; but the English ministers were engaged in a desperate effort to reduce their former colonies in one campaign, and avoided an immediate rupture.

While unmeaning assurances of a wish for continued peace were repeated by rote, Vergennes never dissembled to himself that his policy was inconsistent with every duty towards a friendly power; he professed no justification, except that England was not a friendly power, but an inveterate enemy whose enfeeblement was required for the future tranquillity of France. His measures were chosen to promote the independence of the United States, with a full knowledge that they led necessarily to an open war. Complaints and rejoinders were unceasing; but both parties were reluctant to lay down in writing the principles of national law by which they regulated their conduct. France always expressed the purpose to conform to treaties, and England would never enumerate the treaties which she wished to be considered as still in force. A profession of neutrality would have been resented by England as an insult and a wrong; Vergennes, though in the presence of Lord Stormont he incidentally called America a republic, never recognised the Americans as a belligerent power, but viewing the colonies as a part of the British dominions, threw exclusively upon England the burden of maintaining her own municipal laws. England claimed that France should shut her harbors against American privateers; and Vergennes professed to admit them only when in distress, and to drive them forth again without delay. England insisted that no arms or munitions of war should be exported to America, or to ports to which Americans could conveniently repair for a supply; Vergennes, rather acknowledging the rightfulness

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of the demand, represented the Americans and their friends as escaping his vigilance. England was uneasy at the presence of American commissioners in Paris; Vergennes compared the house of a minister to a church which any one might enter, but with no certainty that his prayers would be heard. England claimed the right of search; Vergennes admitted it in the utmost latitude in the neighborhood of any part of the British dominions, but demurred to its exercise in mid-ocean. England did not scruple to seize and confiscate American property wherever found; France held that on the high seas American property laden in French ships was inviolably safe. England delayed its declaration of war from motives of convenience; France knew that it was imminent and inevitable, and prepared for it with the utmost diligence.

CHAPTER XVII.

PREPARATIONS OF EUROPE FOR THE CAMPAIGN OF 1777, CONTINUED. THE ASPECT OF SPAIN ON AMERICAN INDEPENDENCE.

1777.

France preferred to act in perfect concert with Spain, which by her projection into the Atlantic seemed destined to be the great ocean power of Europe, and which, more than any other kingdom, was touched by questions of colonial independence. One of her own poets, using the language of imperial Rome, had foretold the discovery of the western world; her ships first entered the harbors of the New Indies, first broke into the Pacific, first went round the earth; Spanish cavaliers excelled all others as explorers of unknown realms, and, at their own cost, conquered for their sovereigns almost a hemisphere. After a long period of decline, this proud and earnest people, formed out of the most cultivated races and nations, Aryan and Semitic, Iberians, Celts, Phœnicians, Romans, Jews, Gothic Germans, and Saracens, counting among its great

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men Seneca and Trajan, Averrhoes and the Cid, Cervantes and Velasquez, devout even to bigotry in its land of churches, the most imaginative and poetic among the nations, was seen to be entering on a career of improvement. Rousseau contemplated its future with extravagant hope; D'Alembert, reasoning more calmly, predicted its recovery of a high position among the powers of the world; Spain was the only country of which Frederic of Prussia envied the sovereign, for the delights of its climate, and the opportunity offered to its ruler to renew its greatness. For want of a good government by which the people could have been led, of organs to concentre their will, of liberty to develop their resources, they were destined to move towards their regeneration through a half-century of afflictions, to find that the monarchy to which they were devoted was crumbling away their strength and corrupting public morals, that there was no political life, no hope but in themselves.

During the long struggle of Spain to emancipate itself from the dominion of the Moors, the cross had been the emblem of its national existence as well as of Christian civilization. Religion, the monarchy, Spanish nationality, were all as one; the enthusiasm of faith was also a patriotic enthusiasm, reverencing alike the church and the throne, deeply seated in tradition and in hope, as intolerant of resistance, or even of doubt, as of treason against the state, inquisitive of dissent, hardening into bigotry to such a degree that even the sciences which the Saracens had cultivated were regarded with distrust as the pursuits of materialists.

The centuries of wars for the very being of the kingdom had thrown a halo round the profession of arms; the pride of chivalry scorned the humble virtues of industry, and even the laws cast dishonor on mechanic labor. The prelates, devoting their vast revenues to wholesale almsgiving, sanctified and perpetuated the idleness of beggary. Just when the discovery of America opened a boundless career to colonial enterprise, the house of Hapsburg succeeded to the throne of Castile and Aragon, and wasted away the resources of the united kingdoms in the animosities and wars of a foreign family. The consolidation of all Spain into one country, for which the Austrian dynasty had during two centuries vainly toiled, signalized the accession of the grandson of Louis the Fourteenth of France; but that blessed unity was gained at the too great price of the time-honored liberties of its ancient kingdoms.

1777. Charles the Third, who now held the sceptre in Spain, was the best of the Spanish Bourbons. It is touching to see the affection with which the degeneracy of his immediate successors leads Spanish historians to dwell on his memory. He was of a merciful disposition, and meant well for the land he ruled, slowly and steadily seeking the improvement of its condition; but he was more devoted to the principle of monarchy than to Spain. He was an obstinate stickler for regality against the pope; and for that he had exiled the Jesuits, and desired the abolition of their order. But under the influence of his confessor, a monk of the worst type, he restored vitality to the Inquisition, suf-

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fered it to publish the papal bull which granted it unlimited jurisdiction, and, by way of excuse for his consent to its arraigning, on most frivolous grounds, one of his best administrative officers for "atheism, heresy, and materialism," declared that "he would have delivered up to its tribunal his own son."[1] And with increase of years his conscience was sure to grow more sensitive.

Spain believed herself in need of allies. Between the peoples of France and Spain there was no affection; so in August, 1761, a family compact was established between their kings. In forming this alliance not one Spaniard took part: the act was that of the Bourbon families; the agents on the part of the Spanish branch were Wall and Grimaldi, one of them an adventurer from Ireland, the other from Italy.

Feb.

It seemed the dawn of better days for Spain, when, in February, 1777, the universal popular hatred of the babbling, incompetent Grimaldi, quickened by the shameful failure of the expedition against Algiers, drove him from the ministry and from the country. On the eighteenth he was succeeded by Don Jose Moniño, Count de Florida Blanca. For the first time for more than twenty years, Spain obtained a ministry composed wholly of Spaniards; and for the first time since the days of Ferdinand and Isabella, a Spanish policy began to be formed.

The new minister, son of a provincial notary, had been carefully educated; following his father's profession, he became one of the ablest advocates of his day, and attained administrative distinction.

[1] Montmorin to Vergennes, Madrid, 24 Dec. 1777.

In March, 1772, he went as ambassador to Rome, where by his intrigues Cardinal Ganganelli was elected pope, and the order of the Jesuits was abolished. He, too, controlled the choice of Ganganelli's successor. Now forty-six years old, esteemed for strong good sense and extensive information, for prudence, personal probity, and honest intentions, he placed his views of ambition in useful projects, and was bent upon enlarging the commerce of Spain, and making the kingdom respected. A devoted Catholic, he was equally "a good defender of regality;"[1] he restrained the exorbitant claims of the church, and was no friend to the Inquisition. Much given to reflection, he was cold and excessively reserved; a man of few words, though his words were to the purpose. Feebleness of health unfitted him for indefatigable labor, and was perhaps one of the causes why he could not bear contradiction, nor even hear a discussion without fretting himself into a passion. To his intercourse with foreign powers he brought something of duplicity and crafty cunning. Like Grimaldi, he professed the greatest regard for the interests and welfare of France; but, unlike Grimaldi, his heart was the heart of a Spaniard. In his manners he was awkward and ill at ease. He spoke French with difficulty. For the fire and haughtiness of a grandee, he had the vanity of a man of considerable powers, who from a humble station had reached the highest under the king; and he clung

1 "Un buon regalista:" the description of Florida Blanca by his king. A "regalista" is one who in the contests between the crown and the church sides with the crown: a class of politicians never known in England, after the reign of Henry the Eighth.

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to office with tenacity. His character and qualities and unfailing subservience were exactly fitted to fasten his influence on Charles the Third, and his supremacy continued to the end of the reign. But for the present, his natural slowness of decision was increased by his inexperience.

By far his ablest colleague, and perhaps the ablest statesman of Spain, was Galvez, the minister for the Indies, that is, for the colonies. Like Florida Blanca, he had been taken from the class of advocates. The experience derived from a mission to Mexico had made him familiar with the business of his department, to which he brought honesty and most laborious habits, a lingering prejudice in favor of the system of commercial monopoly, and the purpose to make the Spanish colonies self-supporting both for production and defence.

On entering upon office, Florida Blanca was met at the threshold by the question of the aspect of the American revolution on the interests of Spain; and as Arthur Lee was already on his way to Madrid, it seemed to demand an immediate solution. But a court which venerated the crown equally with the cross could not sanction a rebellion of subjects against their sovereign. Next, Spain was of all the maritime powers the largest possessor of colonial acquisitions; and how could its government concede the principle of a right in colonies to claim independence? And how could it give an example to England and the world of interference in behalf of such independence? Moreover, the rising state was a republic; and in addi-

tion to their fixed abhorrence of the republican principle, the Spanish ministers foreboded danger to their own possessions from the example, from the strength, and from the ambition of the Americans, whom they feared to see cross the Alleghanies and prepare to contest with them the Mississippi. Whatever might betide, the Spanish government would never consent to become the ally of the insurgents, and would never harbor any sympathy with their purpose of independence.

Add to this that an American alliance involved a war with England, and that Spain was unprepared for war. Equal to Great Britain in the number of her inhabitants, greatly surpassing that island in the extent of her home territory and her colonies, she did not love to confess or to perceive her inferiority in wealth and power. Her colonies brought her no opulence, for their commerce, which was soon to be extended to seven ports, then to twelve, and then to nearly all, was still confined to Cadiz; the annual exports to Spanish America had thus far fallen short of four millions of dollars in value, and the imports were less than the exports. Campomanes was urging through the press the abolition of restrictions on trade; but for the time the delusion of mercantile monopoly held the ministers fast bound. The serious strife with Portugal had for its purpose the occupation of both banks of the river La Plata, that so the mighty stream might be sealed up against all the world but Cadiz. As a necessary consequence, Spanish shipping received no development; and though the king constructed

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ships of the line and frigates, he could have no efficient navy, for want of proper nurseries of seamen. The war department was in the hands of an indolent chief, so that its business devolved on O'Reilly, whose character is known to us from his career in Louisiana, and whose arrogance and harshness were revolting to the Spanish nation. The revenue of the kingdom fell short of twenty-one millions of dollars, and there was a notorious want of probity in the management of the finances. In such a state of its navy, army, and treasury, how could it make war on England?

The aged king wished to finish his reign in unbroken tranquillity; Florida Blanca and Galvez saw that Spain was not in a condition to embroil itself with the greatest maritime power of the day: unreserved assurances of a preference for peace were given to the British minister at Madrid, and repeated by the Spanish embassy in London, and it was declared that an American emissary should not be allowed to appear in Madrid. A letter was sent to stop Arthur Lee at Burgos, where he must wait for Grimaldi, who was on his way to Italy. They met[1] on the fourth of March, with Gardoqui as interpreter, for Lee could speak nothing but English. Grimaldi, who describes him as an obstinate man, amused him with desultory remarks and professions: the relation between France and Spain was intimate; the Americans would find at New Orleans three thousand barrels of powder and some

[1] I have, in MS., Arthur Lee's own account of the interview, and Grimaldi's account at second-hand, also in MS.

store of clothing, which they might take on credit; Spain would perhaps send them a well-freighted ship from Bilbao; but the substance of the interview was, that Lee must return straight to Paris, and wait there for instructions to Aranda, which instructions were never to come. At Madrid, Florida Blanca, even though it implied a censure of the court of France, repeatedly made a merit with the British government of having refused to receive an American emissary. "All attempts of the like kind from agents of the rebellious colonies will be equally fruitless:" so spoke Florida Blanca to the British minister again and again "in the strongest manner;" "his catholic majesty is resolved not to interfere in any manner in the dispute concerning the colonies;" "it is and has been my constant opinion, that the independence of America would be the worst example to other colonies, and would make the Americans the worst neighbors, in every respect, that the Spanish colonies could have."[1] In all this there is no room to doubt that he was sincere; for the report of the French ambassador at Aranjuez is explicit, "that it was the dominant wish of the catholic king to avoid war, that he longed above all things to end his days in peace."[2]

Yet the Spanish court was irresistibly drawn towards the alliance with France, though the conflict of motives gave to its policy an air of uncertainty, weakness, and dissimulation. Its boundless

[1] Letters in cipher from Lord Grantham to Viscount Weymouth, 17 March, 20 March, and 26 May, 1777, and many others.

[2] D'Ossun to Vergennes, 15 May, 1777. Compare Flassan, Histoire Générale de la Diplomatie Française, vii. 177, note.

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colonial claims had led to disputes with England for one hundred and seventy years, that is, from the time when Englishmen planted a colony in the Chesapeake bay, which Spain had discovered, and named, and marked as its own bay of Saint Mary's. It was now perpetually agitated by a morbid and extravagant, though not wholly unfounded jealousy of the good faith of British ministries; and it lived in constant dread of sudden aggression from a power with which it knew itself unable to cope alone. This instinctive fear and this mortified pride gave a value to the protecting friendship of France, and excused the wish to see the pillars of England's greatness overthrown. Besides, the occupation of Gibraltar by England made every Spaniard her enemy. To this were added the obligations of the family compact between the two crowns, of which Charles the Third, even while eager for a continuance of peace, was scrupulous to respect the conditions and to cherish the spirit.

Hence the government of Spain, treading stealthily in the footsteps of France, had, under the administration of Grimaldi, given money to the insurgents, but only on the condition that France should be its almoner and that its gifts should be shrouded in impenetrable secrecy. It neglected or reproved the hot zeal with which Aranda counselled war; it still suffered American ships, and even privateers with their prizes, to enter its harbors; but it assured England that everything which could justly be complained of was done in contravention of its orders; and it listened with interest to the vague and delusive proposition of that power for a gen-

eral disarming.[1] Fertile in shifts and subterfuges, Florida Blanca sought to avoid on either hand a frank, ultimate, irrevocable decision, and evaded everything like an agreement for an eventual war with Great Britain. His first escape from the importunity of France was by a counter proposition for the two powers to ship large reënforcements to their colonies: a proposition which Vergennes rejected,[2] because sending an army to the murderous climate of Saint Domingo would involve all the mortality and cost of a war, with none of its benefits. Florida Blanca next advised to let Britain and her insurgents continue their struggle till both parties should be exhausted, and so should invite the interposition of France and Spain as mediators, who would then be able in the final adjustment to take good care of their respective interests.[3] To this Vergennes could only reply that he knew not how the acceptance of such a mediation could be brought about; and in July he unreservedly fixed upon January or February, 1778, as the epoch when the two crowns must engage in the war, or have only to regret forever the opportunity which they would have neglected.[4]

1 Vergennes to D'Ossun, 28 February, 1777. MS.

2 D'Ossun to Vergennes, 31 March, 1777. Montmorin to Vergennes, 23 December, 1777. MSS.

3 Florida Blanca to De Aranda, 7 April, 1777. D'Ossun to Vergennes, 8 May, 1777. MSS.

4 Mémoire communiqué au roi, le 23 Juillet, 1777. MS.

CHAPTER XVIII.

ENGLAND PREPARES FOR THE CAMPAIGN OF 1777.

JANUARY — MAY, 1777.

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THE year 1777 opened with a declared division of opinion in the British ministry on the conduct of the war; Lord North formally[1] proposed to his friends in parliament, as his system, the restoration of America to the condition of 1763. The tardy avowal was followed by an intrigue of some of his colleagues to eject him from the cabinet; and though the intrigue failed, the policy of the Bedford party was still paramount.

The conduct of the war on the side of Canada was left entirely to Lord George Germain; the chief command and the planning of the next campaign within the United States remained with Howe, who was strong in the support of Lord North and the king.

[1] Lord North's Address in the Public Advertiser of 24 January, 1777. Noailles to Vergennes, January, 1777. Compare Colonel Walcott's report to Howe, 11 March, 1777. MS.

Every effort was made to gain recruits for the army and navy. Threats and promises were used to induce captive American sailors to enlist in the British service. "Hang me, if you will, to the yard-arm of your ship, but do not ask me to become a traitor to my country," was the answer of Nathan Coffin,[1] and it expressed the spirit of them all.[2] In February, Franklin and Deane proposed to Stormont, at Paris, to exchange a hundred British seamen, taken by Wickes, of the "Reprisal," for an equal number of the American prisoners in England. To this first application Stormont was silent; to a more earnest remonstrance, in April, he answered: "The king's ambassador receives no applications from rebels unless they come to implore his majesty's mercy."

For land forces, the hopes of the ministers rested mainly on the kinglings of Germany. The petty prince of Waldeck collected for the British service twenty men from his own territory and its neighborhood, twenty-three from Suabia, near fifty elsewhere, in all eighty-nine; and to prevent their desertion, locked them up in the Hanoverian fortress of Hameln. It was the cue of the hereditary prince of Cassel to talk of difficulties and impossibilities, that he might gain a still greater claim on British gratitude and treasure for exceeding all expectations. He had a troublesome competitor in his own father, whose agents were busy in all the environs of Hanau; nevertheless he furnished ninety-one recruits, and four hundred and sixty-eight ad-

[1] MS. communication from C. H. Marshall of New York.

[2] Noailles to Vergennes, 14 February, 1777. MS.

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ditional yagers, which was fifty-six more than he had bargained for.

In Hesse-Cassel the favor of Schlieffen, the minister, was secured by repeated gifts of money; after which the recall of Heister was peremptorily demanded. "The king is determined upon it," were Suffolk's words. No reasons were given, but the British government had feared that foreign generals might be too "regardful of the preservation of the troops under their command," and in advance had offered rewards in money to such of them as should be found compliant;[1] Howe had wished for no foreign officers, except captains and subalterns, and failing in this, he had pledged himself at any rate, "to gain all the service he could from troops who might avoid the loss of men."[2] Heister was a meritorious veteran officer, anxious in his responsibility for the troops under his charge, and unapt to favor a disproportionate consumption of them. For no better reason, he was superseded by Knyphausen; and he returned to his country only to die of the wound inflicted on his military pride. The land whose sons he would have spared, was drained of men, and extraneous recruits were obtained slowly; yet in the course of the year, by force, impressment, theft of foreigners, and other means, it furnished of recruits and yagers fourteen hundred and forty-nine. But this number, of which more than half were yagers, barely made good the losses in the campaign and at Trenton; a putrid epidemic, which at the end of the winter broke out

[1] Suffolk to Faucitt, 12 February, 1776. MS.

[2] General Howe to Lord George Germain, 25 April, 1776. MS.

among the Hessian grenadiers at Brunswick, in eight weeks swept away more than three hundred as able men as ever stood in the ranks of an army, and their places were not supplied.

The duke of Brunswick behaved the most shabbily of all. Of the men whom he offered, Faucitt writes: "I hardly remember to have ever seen such a parcel of miserable, ill-looking fellows collected together." Two hundred and twenty-two were with difficulty culled out and accepted; and even these were far from being wholly fit for service.

The margrave of Brandenburg-Anspach, nephew of Frederic of Prussia, a kinsman of George the Third of England, expressed his eager desire to enter into the trade in soldiers; and on very moderate terms he furnished two regiments of twelve hundred men, beside a company of eighty-five yagers, all of the best quality, unsurpassed in any service, tall, neatly clad, handling their bright and faultless arms with dexterity, spirit, and exactness. The margrave readily promised that they should receive the full British pay, and kept his engagements with exceptional scrupulousness.

In the former year a free passage had everywhere been allowed to the subsidized troops; the enlightened mind of Germany, its scholars, its philosophers, its poets, had not yet openly revolted at the hiring of its sons to recruit armies for a war waged against the rights of man; but the universal feeling of its common people was a perpetual persuasion against enlistments, and an incentive to desertion. The subsidized princes sought for men outside of their own lands, and forced into the

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service not merely vagabonds and loose fellows of all kinds, but any unprotected traveller or hind on whom they could lay their hands. The British agents became sensitive to the stories that were told of them, and to "the excessive defamation" which they encountered. The rulers of the larger states felt the dignity of the empire insulted. Frederic of Prussia never disguised his disgust. The court of Vienna concerted with the elector of Mentz and the elector of Treves to throw a slur on the system. At Mentz, the yagers of Hanau who came first down the Rhine were stopped, and eight of them rescued by the elector's order as his subjects or soldiers. From the troops of the landgrave of Hesse eighteen were removed by the commissaries of the ecclesiastical prince of Treves. At Coblentz, Metternich, the active young representative of the court of Vienna, in the name of Maria Theresa and Joseph the Second, reclaimed their subjects and deserters.

Still more formidable was the rankling discontent of the enlisted men. The regiments of Anspach could not be trusted to carry ammunition or arms, but were driven on by a company of trusty yagers well provided with both, and ready to nip a mutiny in the bud. Yet eighteen or twenty succeeded in deserting. When the rest reached their place of embarkation at Ochsenfurt on the Main, the regiment of Bayreuth began to march away and hide themselves in some vineyards. The yagers, who were all picked marksmen, were ordered to fire among them, by which some of them were killed. They avenged them-

selves by putting a yager to death. The margrave of Anspach, summoned by express, rode to the scene in the greatest haste, leaving his watch on his table, and without a shirt to change. He who by the superstitions of childhood and hallowed traditions was their land's father stood before them. The sight overawed them. They acknowledged their fault, and submitted to his severe reprimands. Four of them he threw into irons, and ordered all to the boats. Instead of the yagers, he in person assumed the office of driver; marched them through Mentz in defiance of the elector; administered the oath of fidelity to the king of England at Nymwegen; and the land's father never left his post till, at the end of March, in the presence of Sir Joseph Yorke, his children, whose service he had sold,[1] were delivered by him in person on board the British transports at S'cravendell. "The margrave went through every detail, brought the men on board himself, went through the ships with them, marked their beds, gave out every order which was recommended to him, and saw it executed, with but little assistance, indeed, from his own officers in the beginning, though they soon grew better reconciled."

The whole number of recruits and reënforcements obtained from Germany amounted to no more than thirty-five hundred and ninety-six. It is noticeable, that they all came from Protestant

1 Rainsford to Secretary Suffolk, 28 March, 1777: "The margrave accompanied them from Ochsenfurt. It is impossible to express the zeal and personal trouble his serene highness has shown, without which we should have met with insurmountable difficulties." Compare Sir Joseph Yorke to Secretary Suffolk, 1 April, 1777. MSS.

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principalities; for the landgrave of Hesse, though a Roman convertite, can hardly pass for a Catholic prince. Besides, the British government from its constitution preferred the employment of Protestants in the army, as well as in all other departments.

A large contribution had been expected from the duke of Wirtemberg, who had been in England in search of a contract; and his agent in London offered three thousand men. At Stuttgart, alluring civilities were lavished on the British envoy; but he was on his guard. The duke, who confidently renewed his offer, had for many years given himself so exclusively to effeminate amusements, that every branch of his government had fallen into decay. He had neither money nor credit. Almost the whole of his regiments were but the wrecks of the last war, too decrepit and stiff for further service; the few effective men were watching a chance to desert, for he had cheated them out of their bounty on enlisting, left their pay in arrears, and forced them to remain after their engagement had expired. "The inability of the duke to supply any troops was soon discovered, and the idea, though not without great disappointment, laid aside." The British ministers searched Germany far and near for more men; "but the Catholic princes of the empire seemed to wish to discourage the service;"[1] and the king of Prussia set himself against it with his advice. The excellent little army of the duke of Saxe-Gotha was coveted in vain; the landgrave of Darmstadt was too fond of his soldiers to let

[1] Sir Joseph Yorke to Secretary Suffolk, 1 April, 1777.

them go out of his sight; there was no hope but from the half-crazy prince of Anhalt-Zerbst, and with him the king's ambassador at the Hague opened a correspondence. The young profligate caught with avidity at the overture, which found him engaged with three other princes of his family on a hunting expedition. They had billeted six hundred dogs upon the citizens of Dessau; entranced by the occasion, he wrote in strange French: "Beautiful garrison! and at the first sound of the whip or the hunting-horn, this rabble came together like troops at the beat of the drum. Devil! if we could run down the 'Amériquains' like that, it would not be bad."[1] He did not know that the wild huntsman of revolution was soon to wind his bugle, and run down these princely dealers in men.

In narrating these events, I have followed exclusively the letters and papers of the princes and ministers who took part in the transactions. They prove the law, which all induction confirms, that the transmission of uncontrolled power, visiting the sins of the fathers upon the children, inevitably develops corruptness and depravity. Despotic power of man over man is what no succession of generations can be trusted with; it brings a curse on whatever family receives it.

All the German levies except the Brunswick and Hanau recruits and four companies of Hanau

[1] "Quatre Frères à Dessau avoient entre eux plus de 600 chiens par force logér chés les Bourgeois de Dessau. Belle garnison! et au premier Coup de Fouet ou de Cors de Chasse, cette Canaille se rassembloit comme les Troupes au coup de Tambour. Diable! si on pouvoit courir les Amériquains comme cela, ce ne seroit pas mauvais; mais il faut des Troupes." Prince Anhalt-Zerbst to Sir Joseph Yorke.

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yagers, which went to Quebec, were used to reënforce the army under Howe. From Great Britain and Ireland, the number of men who sailed for New York before the end of the year was three thousand two hundred and fifty-two; for Canada, was seven hundred and twenty-six.

This scanty supply of troops was eked out by enlistments in America, in which numerous and ever increasing recruiting stations for the British army were established. In this undertaking, Tryon was the favorite general officer of Germain; but offers for raising regiments were accepted by Howe from every one whose success seemed probable. As leaders in the work, De Lancey of New York and Cortland Skinner of New Jersey were appointed brigadiers; and in a few months, the former had enlisted about six hundred, the latter more than five hundred men. In the course of the winter, commissions were issued for embodying thirteen battalions, to be composed of six thousand five hundred men; and already in May more than half the promised complement was obtained. Loyalists repeatedly boasted, that as many soldiers from the states were taken into the pay of the crown as of the continental congress; and the boast, though grossly exaggerated, had some plausible foundation. But of those in the United States who entered the service of the king only a small proportion were Americans. The service of two thousand French Canadians was called for and expected.

The remaining deficiency was to be supplied by the employment of the largest possible number of savages. To this Germain gave his closest personal

attention, issuing his instructions with eager zeal and almost ludicrous minuteness of detail. Nor did he act alone; "after considering every information that could be furnished, the king gave particular directions for every part of the disposition of the forces in Canada."[1] It was their hope to employ bands of wild warriors along all the frontier. Carleton had checked their excesses by placing them under agents of his own appointment, and by confining them within the limits of his own command. His scruples gave offence, and all his merciful precautions were swept away. The king's peremptory orders were sent to the northwest, to "extend operations;" and among those whose "inclination for hostilities" was no more to be restrained, were enumerated "the Ottawas, the Chippewas, the Wyandots, the Shawnees, the Senecas, the Delawares, and the Potawatomies."[2] "Every means," so reasoned George the Third and some of his ministers, "every means that Providence has put into his majesty's hands are to be employed" against the rebels; for "to bring the war to a more speedy issue, and to restore those deluded people to their former state of happiness and prosperity, were the favorite wishes of the royal breast." Joseph Brant, the Mohawk, returned from his interview with the secretary, to rouse the fury of his countrymen, and to make them clamor for war under leaders of their own, who would indulge them in their excesses and take them wherever they wished to go.

[1] Lord George Germain in his letter to Sir Guy Carleton, 25 July, 1777, attributes his directions to the king. MS.

[2] Lord George Germain to Sir Guy Carleton, 26 March, 1777. MS.

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Humane British and German officers in Canada were alarmed at the crowds of red men who were ready to take up the hatchet, but only in their own way, foresaw and deplored the effects of their unrestrained and useless cruelty, and from such allies augured no good to the service.[1] But the policy of Germain was unexpectedly promoted by the release of La Corne Saint Luc, who came in advance to meet his wishes. This most ruthless of partisans was now in his sixty-sixth year, but full of vigor and animal spirits, and only more passionate and relentless from age. He had vowed eternal vengeance on "the beggars" who had kept him captive. He stood ready to pledge his life and his honor, that, within sixty days of his landing at Quebec, he would lead the Indians to the neighborhood of Albany. His words were: "We must let loose the savages upon the frontiers of these scoundrels, to inspire terror, and to make them submit;" and his promises, faithfully reported to Germain, won favor to the leader who above all others was notorious for brutal inhumanity.[2]

Relying on his Indian mercenaries to spread such terror by their raids as to break up the communications between Albany and Lake George, the secretary, in concert with Burgoyne, drew out in fullest particularity the plan of the northern campaign. They both refused to admit the possibility of any insurmountable obstacle to the triumphant march of the army from Canada to Albany and New York. To put success beyond all doubt, Saint Leger was

[1] Riedesel's MS. journal, written for the duke of Brunswick.

[2] Governor Tryon to Secretary Germain, 9 April, 1777. MS.

selected by the king to conduct an expedition by way of Lake Ontario for the capture of Fort Stanwix and the Mohawk valley; the regular troops that were to form his command were precisely specified, and orders were given for the thousand savages who were to serve with him to rally at Niagara.

Such were the preparations of which Germain spoke with assurance to the house of commons as sufficient to finish the war in the approaching campaign. When he heard of the disasters at Trenton and Princeton, and the evacuation of New Jersey, he wisely concluded that Howe ought to be removed, designing to intrust the army in Canada to Sir Henry Clinton, and the chief command in New York to Burgoyne, who was seeking his "patronage and friendship" by assurances of "a solid respect and sincere personal attachment." But the king withheld his consent; Howe was therefore left to conduct his part of the campaign according to his own suggestions; and Burgoyne, with a full knowledge of what was expected of him, ardently undertook the expedition from Canada.

As war measures, parliament in February authorized the grant of letters of permission to private ships to make prizes of American vessels; and by an act which described American privateersmen as pirates, it suspended the writ of *habeas corpus* with regard to prisoners taken on the high seas.

The congress of the United States had neither credit, nor power to tax; it vainly proposed a lottery, and sought a loan in Europe; and after all it fell back upon issues of more paper money:

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Lord North had for his supplies new taxes, new exchequer bills, a profitable lottery, new excise duties, a floating debt of five millions sterling, and a loan of five millions more. The timid feared the swift coming of national bankruptcy; but the resources of England grew faster than the most hopeful anticipated; and while the rising influence of the people saved her liberties, the labors, inventions, and discoveries of plebeian genius, of Wedgwood, Watt, Arkwright, Harrison, Brindley, restored and increased her wealth faster than her aristocratic government could waste it away.

Public opinion still supported the government, under the hope of a speedy end of the war. The clergy were foremost in zeal; in a sermon before the Society for propagating the Gospel, Markham, the archbishop of York, not doubting the conquest of the colonies, recommended a reconstruction of their governments on the principle of complete subordination to Great Britain.

Some voices in England pleaded for the Americans. The war with them, so wrote Edmund Burke to the sheriffs of Bristol, is "fruitless, hopeless, and unnatural;" and the Earl of Abingdon added, "on the part of Great Britain, cruel and unjust." "Our force," replied Fox to Lord North, "is not equal to conquest, and America cannot be brought over by fair means while we insist on taxing her." Burke harbored a wish to cross the channel and seek an interview with Franklin; but the friends of Rockingham disapproved the idea. Near the end of April, Hartley went to Paris as an informal agent, to speak with Frank-

lin of peace and reunion; and received for answer, that England could never conciliate the Americans but by conceding their independence. "We are the aggressors," said Chatham, on the thirtieth of May, in the house of lords; "instead of exacting unconditional submission from the colonies, we ought to grant them unconditional redress. Now is the crisis, before France is a party. Whenever France or Spain enter into a treaty of any sort with America, Great Britain must immediately declare war against them, even if we have but five ships of the line in our ports; and such a treaty must and will shortly take place, if pacification be delayed."

This advice of Chatham was rejected by the vote of nearly four fifths of the house. But with all her resources, England labored under insuperable disadvantages. She had involved herself in the contest by a violation of the essential principle of English liberty; and her chief minister wronged his own convictions in continuing the war. It began, moreover, to be apparent, that France would join in the struggle, if it should extend beyond one more campaign.

NOTE.

The wishes of the king and Lord George Germain for the employment of Indians were not approved by General Carleton or General Howe or Riedesel, or by Stuart, the Indian agent for the southern department; from Major-General William Tryon, late governor of North Carolina and of New York, they met with a hearty response, as appears from the following letter, which is printed, as nearly as possible, just as it was written, without change either in the French or the English of its author.

CHAP. XVIII. 1777.

Private

New York 9 Apl. 1777

My Lord,

I have had many conversations with Mons. La Corne St. Luc, lately released exchanged from his Captivity with the Rebels. We agree perfectly in sentiments respecting the propriety & importance of employing the Indians. He is anxious to take the command of as many Canadians & Indians, as S^r^ Guy Carleton will entrust him with & will pledge his life & honor that he will raise them & be in the environs of Albany in sixty days after he lands at Quebec, for which Port he sails with other Canadian Gentlemen the first fair wind. His expressions were emphatical. "Il faut, dit il, lacher les sauvages sur les frontieres de ces Canals, pour "imposer des terreurs, et pour les faire soumetre, au pied de la Throne "de sa Majesté Britannic. Il faut absolument mettre tous dehors, pour "finir la Guerre cet Été. Les Rebels commence a se guerrier, et si la "guerre continue plus long tems que cett' année, il sera tres facheuse "pour toute L'Empire. Pour soi-même il m'a assuré, qu'il ne voudroit "*jamais, jamais*, (jusqu'a ce que son ame Bat dans sons Corps, et le Sang "coule dans ses Veines,) oublier les injures, et les Insults qu'il a recue "de ces gueux" —— These were his expressions; and though in the sixty sixth year of his age is in the vigour of health & animal spirits.

A Pension or Salary of 500 pr ann. with some Distinction among the savages to La Corne St Luc would I am persuaded be productive of the best consequences to Govt at this Period — S^r^ W^m^ Johnson was not an abler Partizan than St Luc for Indian services.

I am respectfully
Your Lordship's faithfull & ob^dt^ hum^le^ Sert
W^M^ Tryon.

Ld Geo. Germain

received 8 May 1777

CHAPTER XIX.

AMERICA BEFORE THE OPENING OF THE CAMPAIGN.

MARCH — MAY, 1777.

SIR WILLIAM HOWE, while as yet he had gained nothing but New York with its environs, asked for a reënforcement of no more than fifteen thousand men, with which he was to recover a country more than a thousand miles long. On the acquisition of Aquidneck island, and of New Jersey as far as Trenton, he led Lord George Germain to believe that the capture of Philadelphia would bring back the people of Pennsylvania to their allegiance. After the defeat at Trenton, he owned his need of twenty thousand men, and saw no speedy termination of the war but by a general action; but he bore his mishaps very lightly, and waited in indolence for a reply to his requisition.

During the interval, attempts at a pacification were renewed. General Charles Lee, for whom congress and Washington most tenderly intervened, sending him money, threatening retaliation if he were to be

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treated as a deserter, and offering six Hessian field-officers for his exchange, escaped from danger by a way of his own. Imprisoned as a deserter, with a halter in view, he did what two years before those who knew him best had foretold:[1] he deserted back again. Assuring his captors that independence was declared against his advice, he volunteered to negotiate the return of the colonies to their old allegiance. With the sanction of the Howes, on the tenth of February he addressed to congress a written request that two or three gentlemen might be sent to him immediately to receive his communication; and in private letters he conjured his friends Rush, Robert Morris, and Richard Henry Lee, "to urge the compliance with his request, as of the last importance to himself and to the public." In congress it was argued, that a deputation for the manifest purpose of negotiation would spread through the country and Europe the idea that they were preparing to return to their old connection with England; and therefore, on the twenty-first, they, with warm expressions of sympathy, and with the greatest unanimity, resolved that "it was altogether improper to send any of their body to communicate with him." There were not wanting men in the army who "not only censured him bitterly, but even insinuated that he was treacherous."[2]

Feb. 10.

The British commissioners, having failed in their attempt on congress, looked next to Washington. The unhappy American captives had been locked

[1] F. Moore's Loyalist Poetry of the Revolution, 128.

[2] Shaw to Eliot, 4 March, 1777.

up in close and crowded hulks and prisons, breathing a pestilential air, wretchedly clothed, ill supplied with fuel or left without it, and receiving a scanty allowance of provisions, and those of a bad quality; so that when they came out they were weak and feverish, unfit for service, and in many cases sinking under fatal maladies. Men in that condition Washington was willing to accept on parole; but he refused to exchange for them able-bodied soldiers, who had been well fed and cared for during their captivity. The subject was referred on the part of Howe to Lieutenant-Colonel Walcott, on the part of Washington to Lieutenant-Colonel Harrison. On the eleventh of March, during a fruitless interview of nine hours, Walcott, speaking under instructions from Howe, took occasion to say to Harrison: "What should hinder you and me, or rather what should prevent General Washington, who seems to have the power in his hands, from making peace between the two countries?" Harrison replied: "The commissioners have no other powers than what they derive under the act of parliament by which they are appointed." "Oh," said Walcott, "neither you nor I know their powers. Suppose General Washington wrote to know them? The minister has said in the house of commons, he is willing to place the Americans as they were in 1763; suppose Washington should propose this, renouncing the absurd idea of independence, which would be your ruin?" "Why do you refuse to treat with congress?" said Harrison. "Because," answered Walcott, "it is unknown as a legal assembly to both countries. But it would be worth

March 11.

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Washington's while to try to restore peace." Without a moment's hesitation, Harrison put aside the overture.[1]

19. Eight days after this rebuff, Lee once more conjured congress to send two or three gentlemen to converse with him on subjects "of great importance, not only to himself, but to the community he so sincerely loved." The letter was received

28. in Philadelphia on the twenty-eighth. Men asked: "What has Lee been after of late, suffering himself to be made a paw by the Howes?" John Adams was indignant. On the twenty-ninth, congress coldly resolved, "that they still judged it improper to send any of their members to confer with General Lee."

This vote of congress fell upon the day on which Lee signalized his perfidy by presenting to Lord and General Howe an elaborate plan for reducing the Americans.[2] These are some of his words: "I think myself bound in conscience to furnish all the lights I can to Lord and General Howe. I shall most sincerely and zealously contribute all in my power to an accommodation. To bring matters to a conclusion, it is necessary to unhinge or dissolve the whole system or machine of resistance, or, in other terms, congress government. I assert with the penalty of my life, if the plan is fully adopted, in less than two months from the date of the proclamation of pardon not a spark

[1] Walcott's report to Howe. MS.

[2] I have seen the paper: it is in the handwriting of Lee; the indorsement is in the handwriting of Henry Strachey, of whose letters I have had many in my hands. The merit of discovering the plan belongs to George H. Moore, the author of The Treason of Charles Lee.

of this desolating war remains unextinguished in any part of the continent." At the same time he wrote to Washington in forms of affection, and asked commiseration as one whom congress had wronged. The plan of Lee, who advised to retain New Jersey and advance to Philadelphia by land, was treated with neglect by the British commanders; it has no historical importance, except as it irrefragably convicts its author of shameless hypocrisy and the most treasonable intention.

Notwithstanding an order from the minister to ship Lee to Great Britain, he remained in America; the government was assured by Sir Joseph Yorke, who understood him well, that his capture was to be regretted; "that it was impossible but he must puzzle everything he meddled in; that he was the worst present the Americans could receive; that the only stroke like officers which they had struck, happened after his being made prisoner."[1] As a consequence, after some delay, Lee was deemed a prisoner of war, and leave was given by the king for his exchange. Meantime, he was treated by Howe "with kindness, generosity, and tenderness," and his treachery was encouraged; before he was exchanged he received from British officers, according to his own account, eleven hundred guineas, in return, as he pretended, for his drafts on England.

9. Just at the moment when the Howes, acting upon the policy of Lord North, were aiming at reconciliation by an amnesty, they received Germain's letter of the fourteenth of January, in which their former

[1] Sir Joseph Yorke to the Foreign Office, 7 March, 1777. MS.

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1777. March 9. offers of pardon were approved with a coldness which rebuked their clemency, and the instruction was given: "At the expiration of the period limited in your proclamation, it will be incumbent upon you to use the powers with which you are intrusted in such a manner that those persons who shall have shown themselves undeserving of the royal mercy may not escape that punishment which is due to their crimes, and which it will be expedient to inflict for the sake of example to futurity." General Howe was not sanguinary, though, from his neglect, merciless cruelties were inflicted by his subordinates; Lord Howe had accepted office from real good-will to America and England, not as the agent

25. of Germain's vengeful passions; and on the twenty-fifth of March, the brothers answered: "Are we required to withhold his majesty's general pardon, even though the withholding of such general pardon should prevent a speedy termination of the war?"

Howe had requested a reënforcement of fifteen thousand men, in order to move simultaneously against New England, up the Hudson river, and against Pennsylvania, and thus "finish the war in one year." To that requisition the reply, written in January, 1777, accompanied the letter to the commissioners. For the conquest of a continent the demand was certainly moderate; but Germain, forming his judgment on the letters of spies and tale-bearers, or, as he called them, "of persons well informed on the spot," professed to think "that such a requisition ought not to be complied with," and he wrote that half that number could not by any chance be supplied. Promising but four thou-

sand Germans, a larger number than was actually obtained, he insisted that Howe "would have an army of very nearly thirty-five thousand rank and file, so that it would still be equal to his wishes;" in other words, that Howe must none the less complete the conquest of America within a twelvemonth. But with so small a reënforcement the general would by no means have that number of effective men. The disingenuous statement foreshadowed a disposition to cast upon him all blame for any untoward events in the next campaign. Nor could he be ignorant of Germain's desire for his recall; nor was he indifferent to the rising favor of Burgoyne.

April 2. The general took counsel with his brother, and on the second of April despatched to the secretary the final revision of his plan:[1] "The offensive army will be too weak for rapid success. The campaign will not commence so soon as your lordship may expect. Restricted as I am by the want of forces, my hopes of terminating the war this year are vanished." Relinquishing a principal part of what he had formerly proposed, he announced his determination to evacuate the Jerseys, and to invade Pennsylvania by sea. He further made known, alike to Carleton and to the secretary, that the army which was to advance from Canada would meet "with little assistance from him." 5.

[1] The plan of Howe was not affected by that of Lee. 1. Lee scoffed at Howe's plan, and treated it with derision; but, considering Lee's want of veracity, this proves not much. 2. Howe received his letters from Germain March 9, and his answer, which required consultation with his brother, bears date April 2. Lee's paper is of March 29; and it is uncertain on what day it reached Howe, or was read by him, or even if it was ever read by him. Official movements were slow. 3. The plan of Howe is not like that of Lee, which was far the best of the two.

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Germain built great expectations on the Indian alliances, both in the south and the northwest, and loved to direct minutely in what manner the savages should be employed. Howe was backward in engaging them, left all details to the Indian agents, and scorned ambiguous messages, hints, and whispers across the Atlantic, to lay waste the country with indiscriminate cruelty.

Early in the year a British brigade and several companies of grenadiers and light infantry were recalled from Rhode Island, and sent to Amboy. While they were on board the transport ships, Howe came over to the quarters of Cornwallis, and Washington apprehended that they would, without delay and without much difficulty, march to Philadelphia. But Howe could never take advantage of opportunities. In the middle of March, Washington's "whole number in Jersey fit for duty was under three thousand, and these, nine hundred and eighty-one excepted, were militia, who stood engaged only till the last of the month." The paymaster was without money, of which the supply was habitually tardy and inadequate. Washington had moreover to complain of "the unfitness" of some of his general officers.

To gain an army he saw no way so good as the system of drafting adopted by Massachusetts, on an equal and exact apportionment of its quota to each town in the state; in New Jersey, the theatre of war, he advised that every man able to bear arms should turn out, and that no one should be allowed to buy off his service by a payment of money, for, said he, "every injurious distinction be-

tween the rich and the poor ought to be laid aside now." Of the militia of New England the British commander-in-chief has left his testimony, that, "when brought to action, they were the most persevering of any in all North America;" and it was on the militia of those states that Washington placed his chief reliance. The anxiety about a supply of arms was relieved by the safe arrival of ships freighted by Beaumarchais from the arsenals of France.

Reed, the former adjutant-general, never resumed that post, though, by assertions on his honor as disingenuous as the original ground of offence, he recovered for a time the affection of Washington. His aid as a secretary was more than made good by Alexander Hamilton, who joined the staff of the commander-in-chief in March, and thus obtained the precious opportunity of becoming familiar with the course of national affairs on the largest scale.

In the appointment of general officers congress gave little heed to Washington. In his opinion, there was not in the army "a more active, more spirited, and more sensible officer" than Arnold, the oldest brigadier; but in the promotions he was passed over, on the pretext that Connecticut had already two major-generals. The slight rankled in Arnold's breast; to Washington he complained of the wound to his "nice feelings;" to Gates he wrote:

"By heavens! I am a villain if I seek not
A brave revenge for injured honor."

On the first of March six new brigadiers were appointed. Stark stood at the head of the list of New Hampshire, and was the best officer from

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that state. He had shown himself great at Bunker Hill, Trenton, and Princeton; but on the idea that he was self-willed, he was passed over. Chafing at the unworthy neglect, he retired to his freehold and his plough, where his patriotism, like the fire of the smithy when sprinkled with water, glowed more fiercely than ever.

Congress, without consulting Washington[1] on the appointment of his chief of staff, "earnestly solicited Gates to reassume the office of adjutant-general with his present rank and pay," "in confidence that he would retrieve the state of the army, and place it on a respectable footing." The thought crossed his mind to secure in the bargain[2] a provision for his own life, with an annuity on that of his wife or son; and as the price of his consent he actually demanded "something more than words." Washington offered to welcome him back as the only means of giving form and regularity to the new recruits; but nothing came of the offer, for the New England members, especially Samuel Adams, were resolved on raising him to the command of the northern department.

The neglect of Washington by congress increased in the camp the discontent which naturally rises among officers in the clashing of their desires. Beside the jealousies which grew out of the wish for promotion, subordinate generals importuned him for separate commands, and those who were detached were apt to murmur at his suggestions, or

[1] "I never even hinted it." Washington to Gates, 10 March, 1777, in Washington's Writings, iv. 355.

[2] MS. draught of a letter of Gates to the President of Congress, in the New York Historical Society's library. Gates to Congress, 28 February, 1777. MS.

demand of him a supply of all their wants, never considering the limit of his resources, and never contented with their fair share of materials and men. "Let me know who were your informers," wrote Heath on receiving a merited admonition. Sullivan fretted at an imaginary slight, and demanded an explanation. "Five hundred men is all that his excellency allows me," wrote Putnam to congress from Princeton. Mifflin, whose ambition was divided between a career of arms and of civil life, showed signs of groundless complaining. Washington was surrounded by officers willing to fill the ears of members of congress with clamor against his management, or opinions in counteraction of his advice.

The service had suffered from the high advancement of worthless foreign adventurers, some of whom had obtained engagements from Deane at Paris. An eager desire to secure able veteran officers had assisted to blind the judgment of congress; henceforward it required of claimants a good knowledge of the English language and strong credentials. One emigrant from northern Europe stood conspicuous for modesty and sound judgment, the Pole, Kosciuszko. He left his native country from a disappointment in love; and devoting himself to freedom and humanity, in the autumn of 1776, he entered the American army as an officer of engineers. This year the public service carried him to Ticonderoga.

Before the end of March, Greene was sent to Philadelphia to explain the pressing wants of the army. By his suggestion, the instructions of the

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commander-in-chief were modified: henceforward, he, as well as the chief officer in every department, was permitted, not required, to consult the general officers under him; and it was made his duty, regardless of the majority of voices, "finally to direct every measure according to his own judgment." The helplessness of congress appeared more and more; with the fate of the country dependent on the campaign, their authority did not reach beyond a series of recommendations "to the executive powers and legislatures of each of the United States;" and in case voluntary enlistment should prove insufficient, they "advised each state to cause indiscriminate drafts to be made from their respective militia." One attempt and only one was made to exert a temporary control over a state. The legislature of Pennsylvania had adjourned; the inadequateness of the executive authority menaced danger, "not only to the safety of the said commonwealth, but to the general welfare of the United States:" congress, therefore, directed its president and council, with its army and navy boards, to "exercise every authority to promote the safety of the state," till the legislature could be convened; and they promised their own coöperation.

To the command of the forts in the Highlands on the Hudson George Clinton was appointed with the concurrence of New York, of congress, and of Washington. In the northern department the utmost confusion grew out of the rivalry between Schuyler and Gates. The former loved his country more than his own rank or fortune; the thoughts of the latter centred in himself. The

emergency required a general of high ability, and to such a one Schuyler would have gladly given way; but he was unwilling to be supplanted by an intriguing subordinate. Gates, who was hovering round congress, and boasted of his repulse of Carleton, refused to serve at Ticonderoga as a subordinate. On the fifteenth of March, congress censured an objurgatory letter from Schuyler; and ten days later, without consulting the commander-in-chief, they directed Gates "to repair immediately to Ticonderoga, and take command of the army there."

Elated with his advancement to an independent command, which in importance was second only to that of the grand army, he quickly forgot that he had a superior; and he took upon himself, by sturdy and confident importunity with congress, to make a disposition of all the troops in the service of the United States, and to direct the movements of the forces under Washington, as well as of his own.[1] Yet his appointment, though achieved through the New England delegates, did not bring out the troops from their states; and congress found no resource but to resolve, on the twenty-ninth of April, "that General Washington be directed to write to the Eastern states, from whom the troops to be employed at Ticonderoga were expected, and to request them, in the name of congress, to pursue every means for completing and forwarding the

1 Gates to Lovell, 29 April, 1777. MS. "Don't let the voice of party divert congress from posting their army," &c. &c. "The plan I placed in your hands for stationing the army upon the opening of the campaign, — do not be diverted from adopting it, unless it be to strengthen the east side of Hudson river more than is there laid down," &c. &c. Compare Gates to Hancock, 29 April, 1777. MS. Gates to Jay, 9 May, 1777. MS.

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regiments; it being the opinion of congress that delay will be attended with the loss of that important post."

Washington, after proper inquiry, had from the first compared Fort Independence, opposite Ticonderoga, on the east side of Lake Champlain, to a mill built on a beautiful site to which water could not be brought; "the enemy might pass that post and get into Lake George, without receiving the least annoyance;" but congress, never distrustful of itself and this time led by the opinions of Schuyler, voted permission to Gates to evacuate "Ticonderoga, on the west of Lake Champlain, and apply his whole force to securing Fort Independence and the water-defences of Lake George." Seizing the opportunity of gaining an advantage in the opinion of congress over Schuyler, he answered: "I see no reason for abandoning any part of the post;" "I am not the least apprehensive there will be occasion to surrender one acre we possess."[1]

Schuyler had been very much censured for remaining at Albany; Gates, notwithstanding his explicit orders, waited two months in that city for ordnance and stores, and announced to Washington: "I am resolved not to leave Albany, before I see the bulk of them before me."[2]

Gates, who had great confidence in his own "prophetic skill," and wished to shape every movement in aid of his command, wrote to Hancock: "I foresee the worst of consequences from too great a proportion of the main army being drawn into

[1] Gates to Congress, 9 May, to Lovell, 12 May, 1777. MSS.

[2] Gates to Washington, 24 May, 1777. MS.

the Jerseys. Request congress in my name to order two troops of horse to Albany."[1] And congress directed Washington to "forward, with all convenient despatch, two troops of horse to General Gates."

Washington thought that the requisitions of Gates should be made directly to himself, or that at least he should receive a duplicate of them. But Gates insisted on dealing directly with congress, as "the common parent of all the American armies,"[2] on the plea that it would require less writing. To a member he said, with a sneer at the commander-in-chief: "I am not infected with a *cacoethes scribendi;* one serviceable action without doors is worth all the pages that has been wrote since the beginning of the war."[3]

To a petulant requisition for tents, Washington answered with mildness, explaining why there was a scarcity of them, and how he had distributed military stores without partiality. At this Gates, writing to Lovell, a New England member, his complaints against "George Washington," and "how little he had to expect from him," claimed that congress should intervene as the umpire, for this reason: "Generals, like parsons, are all for christening their own child first; let an impartial moderating power decide between us."[4]

But before this appeal could be received, Gates lost his short independent command. Angry that his department had been curtailed, Schuyler in the

[1] Gates to Hancock, 29 April, 1777. MS. Sent in duplicate to Jay, 9 May, 1777.

[2] Gates to Washington, 13 May, 1777. MS.

[3] Gates to Lovell, 26 May, 1777. MS.

[4] Gates to Lovell, 25 May, 1777. MS.

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second week of April took his seat in congress, to complain in person and assert his right to be replaced. According to his stating, Ticonderoga had been put into a strong and nearly impregnable condition while he had the command in chief, with Gates as his junior; his measures for the supply and maintenance of the post were in full operation and left no doubt of its future safety, for which he was willing to take on himself the responsibility. His opponents were powerful; on the third of May he announced to Washington his intention "to resign his commission;" and Washington interposed no dissuasions. But, having Duane as a skilful manager, instead of a resignation, he apologized to congress for the words that had given offence; a committee which had at his request inquired into his use of the public money relieved him from injurious rumors; and on the report of the board of war, after a discussion protracted into the fourth day, an accidental majority assured him the undivided command of Albany, Ticonderoga, Fort Stanwix, and their dependencies.

Schuyler accepted this command, with nothing before him but the certainty of ill success. Nearly half congress doubted his capacity, resisted his appointment, and desired his removal; he misjudged in supposing that his means for defending Ticonderoga were adequate; and he had to encounter the invincible and not wholly unreasonable aversion of the New England troops. Besides, Gates was sure to decline other employment and to renew his intrigues, in which he was quickened by his family. "As your son and heir," so wrote

his only child,[1] "I entreat you not to tarnish the honor of your family." His uneasy, ambitious wife let her voice be heard: "If you give up one iota, and condescend to be adjutant-general, I may forgive it, but never will forget it."

This long dispute aggravated the disorder in the northern department; but with unselfish and untiring zeal Washington strove to repair the errors and defects of congress. From the weakness of its powers it would justly escape reprehension, if its members had unanimously given him their support; but some of them indulged in open expressions of discontent. They refused to contemplate the difficulty with which he had kept "the life and soul of his army together," or to own that he had saved their cause, for it would have been an indirect censure on themselves for having rejected his solicitations for the formation of a permanent army at the time when such an army could have been raised. Assuming the style of conquerors, they did not and they would not perceive the true situation of affairs; they were vexed that the commander-in-chief insisted on bringing it to their attention; and as if Washington had not adventured miracles of daring, Samuel Adams and others were habitually impatient for more enterprise, that the enemy might be beaten in detail, before reënforcements should arrive. Thus they discoursed when no men had as yet joined him from the eastward, and there was great danger that Howe would open the campaign before the American army could be in any condition to oppose him. Washington bore their unjust

[1] Robert Gates to his father, 6 June, 1777. MS.

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reproaches with meekness and dignity, never forgetting the obedience and respect that were due to congress as his civil superior and the representative of all the states. He valued not rumors above the public safety; this is the man who tired out evil tongues and evil fortune, and saved his country by boldness, constancy, and the gain of time. Desiring the good opinion of his kind as his sole reward, his cheerful fortitude never failed him; and he saw in his mind that posterity was his own.

CHAPTER XX.

THE BRITISH EVACUATE NEW JERSEY.

March — July, 1777.

Of his greatly superior force the British general made little use. Stores for the American army had been deposited at Peekskill, where, in the absence of Heath, Macdougall was in command of two hundred and fifty men. On the twenty-third of March the English landed in the bay with twice his number, compelling Macdougall to burn the magazine and draw back to the hills; but with Willett, whom he called from Fort Constitution, he repulsed an advanced party. The British, having completed the work of destruction and burnt the wharf, retired to their boats at evening, and under the light of the full moon sailed down the river. The result was of little importance; there was old wheat enough in the state of New York to supply the army for a year.

While Howe was wasting the spring at New York, Cornwallis at Brunswick grew weary of in-

CHAP. XX. 1777. April 13. activity, and came out in force early in the morning of the thirteenth of April to surprise Lincoln, now a major-general, who, with five hundred men, occupied Boundbrook. Through the carelessness of the guard, he came very near effecting his design; Lincoln by a prompt retreat gained the hill in the rear of the town, but with the loss of two cannon, two lieutenants, and twenty men. After a stay of an hour and a half, the assailants returned to Brunswick, and Lincoln with a stronger party reoccupied his post.

23. On the twenty-third of April a detached corps of eighteen hundred men, drafted from different regiments, and a small number of dragoons, sailed from New York, under convoy, to destroy the stores which the Americans had collected in Danbury, Connecticut, at a distance, as the roads then ran, of more than twenty miles from the sound. The leader of the expedition was Tryon, now a major-general of provincials; but Sir William Howe very prudently appointed General Agnew and Sir William Erskine to assist him. On Friday, the 25. twenty-fifth, they landed at Compo, near Saugatuck river, and, marching seven miles that evening, they reached Danbury about three hours after noon on Saturday. They had excellent guides, and from the suddenness of the enterprise encountered little opposition on the way, or at Danbury, where the guard under Huntington was composed of but fifty continentals and a few militia. The English, under a heavy rain, destroyed the stores, among which the loss of nearly seventeen hundred tents was irreparable; and all night long they were busy in

burning down the village. By this time the people in the neighboring towns were in motion; and the invading party, though they returned by a different route, were compelled to retreat hastily, like the expedition to Concord in 1775. CHAP. XX. 1777. April 26.

By a quick march, Arnold and Silliman confronted them on Sunday at Ridgefield with four hundred men, while two hundred more hung on their rear under Wooster, then in his sixty-eighth year, who encouraged his troops by his words and his example, and fell at their head, mortally wounded, yet not till he had taken twenty or more prisoners. Arnold, having thrown up a barrier across the road, sustained a sharp action till the British, by their superior numbers, turned his position. His horse being killed under him just as the enemy were within a few yards, a soldier, seeing him alone and entangled, advanced on him with fixed bayonet; Arnold drew a pistol, shot the soldier, and retired unhurt. 27.

At the wane of the day the British troops, worn out with hard service, formed themselves into an oblong square, and lay on their arms till morning. At daybreak on Monday they resumed their march, and were assailed from stone walls and hiding-places. A part of Lamb's battalion of artillery, with three companies of volunteers from New Haven and sixty continentals, were strongly posted at the bridge over the Saugatuck, while Arnold and Silliman held ground about two miles above the bridge. The British escaped this danger only by fording the river a mile above them all, and running at full speed to the high hill of Compo, 28.

CHAP. XX. 1777. April 28. within half a mile of the shipping. For three days and nights they had had little rest, and several of them dropped on the road from fatigue. To protect the embarkation, Erskine put himself at the head of the most able of the detachment and fresh men from the ships to drive back the pursuers. Here Lamb was wounded; and here Arnold again braved the enemy's musketry and grape-shot, and again his horse was struck, but its rider escaped as before. The Americans could not stand the charge of Erskine, and before night the English set sail. The number of their killed, wounded, and prisoners is estimated at about two hundred; the Americans lost not half so many.

Congress, who at Washington's instance[1] had elected Arnold a major-general, voted him "a horse, caparisoned, as a token of their approbation of his gallant conduct;" but they refused to restore him to his former relative rank, so that a sense of wrong still rankled in his breast. Wooster lingered a few days, and died with calmness, gloriously ending a long and honorable life. Congress voted him a monument.

May 23. The Americans had better success in a like undertaking. Return Meigs of Connecticut, learning through General Parsons that the British were lading transports at Sag Harbor, on the east side of the great bay of Long Island, crossed the sound from Sachem's Head on the twenty-third of May with two hundred continentals in whale-boats. From

[1] Arnold was elected major-general, May 2, before congress had heard of his gallant conduct in the pursuit of Tryon. Many days passed before that was brought to their notice.

the north beach of the island, they carried their boats on their backs over the sandy point, embarked again on the bay, and landed after midnight within four miles of Sag Harbor. To that place they advanced before daybreak in silence and order, burned one vessel of six or eight guns, and ten loaded transports, destroyed the stores that lay at the wharf, killed five or six of the British, and with little opposition captured all the rest but four. On their return they reached Guilford with ninety prisoners at two in the afternoon, having traversed by land and water ninety miles in twenty-five hours. Congress voted Meigs a sword, and Washington promoted Sergeant Ginnings for merit in the expedition. CHAP. XX. 1777. May 24.

During the period of his listless indolence Howe received letters from his government dated the third of March, after the news of the disasters in New Jersey had reached England. Germain, whom disappointment made more and more vengeful, expressed his extreme mortification that the brilliancy of Howe's successes had thus been tarnished, adding: "They who insolently refuse to accept the mercy of their sovereign cannot, in the eye of impartial reason, have the least room to expect clemency at the hand of his subjects; I fear you and Lord Howe must adopt such modes of carrying on the war that the rebels may be effectually distressed, so that through a lively experience of losses and sufferings they may be brought as soon as possible to a proper sense of their duty." The secretary longed to hear that Boston was in flames; he communicated the king's opinion, that in con- May.

CHAP. XX. 1777. May. junction with the fleet "a warm diversion" should be made "upon the coasts of the Massachusetts bay and New Hampshire," and their ports be occupied or "destroyed." The admiral had not come to America to "distress" and "destroy;" he would not hearken to the hint to burn Boston and the other seaside towns of New England;[1] and after a June 3. delay of more than three weeks, the general on the third of June made answer, that "it was not consistent with other operations."

Hitherto the letters of Sir William Howe to his superior had been decorous: to the minute and elaborate directions of the secretary, addressed through him to the Indian agent, on the employment of the savages of the south and southwest against the frontiers of the Southern states, he replied with undisguised contempt and sneers. In his talk to the headmen and warriors of the southwest, of which a copy was sent to Germain, he accepted with pleasure the white wing from the Chickasaws and Choctaws as the emblem of love, the painted hatchet from the Creeks as the token of fidelity; but while he was profuse of kind words and presents, he never urged "the red children of the great king" to deeds of blood.

From Lord North's office Howe received the kindest attention and assurances of support; but not the love of his country, not respect for his sovereign, not fear of public opinion, not the certainty that a war with France would follow a fruitless campaign, could quicken the sluggish nature of the obstinate commander. He had squan-

[1] George the Third to Lord North, 28 October, 1777.

dered away two of the best months for activity in the field; he now deliberately wasted the month of June. There was no force that could seriously oppose his march to Philadelphia; yet he clung to his plan of reaching that city by water, while he continually postponed his embarkation. CHAP. XX. 1777. June.

On the twenty-eighth of May, Washington removed his quarters from Morristown to the heights of Middlebrook. His army was composed of no more than seven thousand five hundred men in forty-three regiments, distributed into five divisions of two brigades each. Sullivan, his oldest major-general, with about fifteen hundred men was stationed at Princeton, while he retained about six thousand in his well-chosen mountain camp. Of this the front was protected by the Raritan, then too deep to be forded; the left was by nature difficult of access; and the right, where the ground was not good, was protected by two strong redoubts. Here, at a distance of about nine miles from Brunswick, he kept watch of his enemy, who put on the appearance of opening the campaign. Two more regiments came up from Rhode Island; horses, tents, stores, reënforcements, arrived from England; Lee was put on board the "Centurion" man-of-war for security; and by the twelfth of June, British, Hessians, and Anspachers, to the number of seventeen thousand, with boats and pontoons for crossing the Delaware, were assembled at Brunswick. For its numbers that army had not its equal in the world; the veteran officers, alike German and English, agreed that they had never seen such a body of men. Every soldier was eager for a battle. May 28. June.

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1777. June 13. It was Howe's purpose, so far as he had any beyond getting rid of time, to throw his army between Washington and Princeton, and by a swift march to cut off the division under Sullivan. Orders were given for the troops to move from Brunswick at eleven in the night, leaving their tents, baggage, and boats behind. A tardiness of five hours enabled Sullivan to retire to the Delaware. He should have been pursued; but Howe, after marching in two columns about three miles on the road to Princeton, turned suddenly to the right to Somerset court-house. His first column under Cornwallis advancing to Hillsborough, the second under Heister to Middlebush, they occupied below the mountains a fine country for a battle-field.

14. On Saturday the fourteenth of June, about the hour when the two armies first confronted each other, congress "resolved that the flag of the thirteen United States be thirteen stripes, alternate red and white; that the union be thirteen stars white in a blue field, representing a new constellation." The immovable fortitude of Washington in his camp at Middlebrook was the salvation of that beautiful flag. The guard of the line of the Delaware was intrusted to Arnold, with such force as he could rally; Sullivan was recalled from his flight, and stationed at Sourland hills, within six miles of Somerset court-house, where he was strengthened by continentals and Pennsylvania militia sent over the Delaware, and by the uprising of the men of New Jersey. During these days Washington was almost constantly in the saddle; by night his men slept on their arms; in the

morning they were arrayed for battle; but Howe dared not adventure an attack, and he could only throw up fortifications, which he was to leave behind. He was of too coarse a nature to feel keenly the shame of his position; but his army murmured. CHAP. XX. 1777. June.

At that time, the cares of the northern department were thrown upon the American commander-in-chief; and Schuyler besieged him with entreaties to supply his wants and remedy all that was going wrong. It is strange that men in and round congress fretted at Washington's caution; yet at the time when his prudence was saving the country from ruin, when to have crossed the river with his small and ill-provided force was just what Howe desired, one general officer wrote: "We must fight or forfeit our honor;" and on the eighteenth, Samuel Adams thus complained: "I confess, I have always been so very wrong-headed as not to be over-well pleased with what is called the Fabian war in America." When Washington heard of these reproaches, he answered: "We have some amongst us, and I dare say generals, who wish to make themselves popular at the expense of others, or who think the cause is not to be advanced otherwise than by fighting; the peculiar circumstances under which it is to be done, and the consequences which may follow, are objects too trivial for their attention; but as I have one great object in view, I shall steadily pursue the means which in my judgment leads to the accomplishment of it, not doubting but that the candid part of mankind, if they are convinced of my integrity, will make proper allowance for my in- 18.

CHAP. XX. 1777. June

experience and frailties. I will agree to be loaded with all the obloquy they can bestow, if I commit a wilful error."[1] With undisturbed self-possession,

18. he continued to hold in check and completely baffle an enemy of much more than twice his

19. numbers. On the nineteenth, Howe returned to Brunswick. Washington watched to see if he would take the road to the Delaware; and when,

20. on the twentieth, his army at Middlebrook learned that the whole British force was returning to Amboy, the surrounding country even as far as Brunswick rung at evening with their salvos and shouts.

21. On the twenty-first, Washington, who hoped to cut off the rear-guard of the British, sent orders to Maxwell to lie with a strong party between Brunswick and Amboy, and to Sullivan to join his division to Greene, who was advanced with three brigades; while the main body of the army were paraded upon the heights within supporting dis-

22. tance. But Sullivan came too late; the express sent off to Maxwell never reached him; and Greene's party was left to act alone. At four o'clock in the morning of the twenty-second, Heister, who was on the north side of the Raritan, began his march to Amboy; his rear, consisting of the Anspach and Hessian yagers, was much cut up by a body of about three hundred men; the corps of Cornwallis, which slept in Brunswick, could not move so rapidly, for it had to cross the Raritan by a narrow bridge. Near the end of the bridge Howe stood on high ground with his staff, to see the troops pass by; they were gloomy

[1] Washington to Reed, 23 June, 1777, in Life of Esther Reed, 273, 274.

and sullen at the thought of a retreat. A battery of three heavy cannon which Greene mounted on a hill was too distant to be effective. When more than half the column of Cornwallis had passed Piscataway, his patrols on the left were fiercely set upon by Morgan's riflemen, and driven back upon the column. Howe instantly put himself at the head of the two nearest regiments to meet the attack. For a half-hour the rifle corps fought within the distance of forty yards; nor did they retire till he ordered up heavy artillery and scoured the woods with grape. There at least thirty, several of the officers thought more than a hundred, of the British fell. Soon after this encounter, a strong body of the Americans was discovered in the distance; lest they should boast of his rapid flight before them, Howe arrayed the rear-guard and a part of the corps of Cornwallis on a small oval plain, and offered battle. The rest of the march to Amboy was unobstructed.

CHAP. XX. 1777. June 23.

Having taken the advice of his general officers, whose opinion that the British army had gone off panic-struck he did not share, Washington on the twenty-fourth came down with the main body of his army as far as Quibbletown, and advanced Lord Stirling's division with some other troops to Matouchin, to act according to circumstances, but in no event to bring on a general engagement. Informed of this movement, Howe conceived the hope of getting in Washington's rear. Recalling the German battalions which had crossed to Staten Island, at one in the morning of the twenty-sixth he marched his whole army in two columns by differ-

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26.

CHAP. XX. 1777. June 26. ent roads in the direction of Scotch Plains. About eight o'clock, Maxwell, who commanded an advanced detachment, withdrew without loss. A brief hour later, Cornwallis came upon Stirling's division, in which Conway and other French officers served as volunteers. It was posted on a cleared hill in front of a forest, with six small field-pieces. Stirling, who was a brave man, but no tactician, saw fit to await an attack. His artillery began to play at the distance of a thousand yards, and his musketry fired before the British were within range. Cornwallis planted two twelve-pounders and some six-pounders on his own left to annoy Stirling's right, while Minnigerode, moving a battalion of Hessian grenadiers obliquely, turned his position and attacked his left flank. As the Hessian grenadiers came on, the Americans gave a nervous fire from a distance, and fled. The Hessians captured two brass three-pounders, which had lately arrived from France; a third was taken by the first battalion of guards. Cornwallis lost about seventy men, of whom more than half were Hessians. The Americans lost, including prisoners, full twice that number. The party of Stirling was chased as far as Westfield with little effect; there the heat of the day and the fatigue of his men compelled Cornwallis to give up the pursuit. The column which Howe accompanied accomplished nothing; Washington had retired to the heights of Middlebrook.

27, 28. In the two next days the British troops returned through Rahway to Amboy, and were rapidly transferred to Staten Island; on the thirtieth, Howe evacuated New Jersey, never again to step his foot

on its soil. A great victory on the part of the Americans would not have given a deadlier blow to British supremacy. As at Boston the refugees sailed away with the army, so now Jersey men who had accepted the protection of the British king flocked to Staten Island.

June 30.

In Philadelphia toryism had stalked abroad fearlessly, and in May a clergyman had publicly read prayers for the king; the nearness of danger now effected a coalition of parties; the unexpectedly spirited manner in which the militia of Pennsylvania turned out, gave a shock to the enemy; and the American congress could celebrate the first anniversary of independence with a feeling of security and triumph. The bells rung all day and all the evening; the ships and row-galleys and boats showed the flag of the nation; at one o'clock, the ships in the stream were manned. At three, there was a dinner attended by the members of congress and officers of the government of Pennsylvania; "Our country" was on the lips of every one; "the heroes who have fallen" were commemorated; the landgrave of Hesse's band, captured at Trenton, played excellent music. Afterwards there were military parades, and at night, bonfires, fireworks, and a general illumination.

July 4.

All the while, Howe was getting in readiness for a voyage, and shipping his army, amidst the half-suppressed murmurs of his officers, whose chagrin was soon sharpened by the success of a daring adventure. Prescott, the commander of the British forces on Rhode Island, had his quarters at a lonely farm-house about four miles from Newport, on the

CHAP. XX. 1777. July 10.

west side of the island, a mile from any troops, with no patrols along the shore, and no protection but a sentry and the guard-ship in the bay. Hearing of this, William Barton, a native of Warren, then a colonel in the American army, embarked a party at Providence in two whale-boats, hid them during the day at Warwick, and on the night following the ninth of July, after the young moon had gone down, steered between the islands of Patience and Prudence, and landed at Redwood creek. Coming up across fields, they surrounded Prescott's house, at once burst open all the doors, took him and Lieutenant Barrington out of their beds, hurried them to the water without giving them time to put on their clothes, and, while men from the several camps were searching for their tracks on the shore, they passed under the stern of the guard-ship, which lay against Hope island, and carried their captives to Providence. The rank of Prescott was equal to that of Lee, and Washington promptly invited an exchange.

CHAPTER XXI.

THE ADVANCE OF BURGOYNE FROM CANADA.

MAY — JULY 7, 1777.

"THIS campaign will end the war," was the opinion given by Riedesel; and through Lord Suffolk he solicited the continued favor of the British king, who was in his eyes "the adoration of all the universe." Flushed with expectations of victory and glory, Carleton employed the unusually mild Canadian winter in preparations. On the last day of April he gave audience to the deputies of the Six Nations, and accepted their services with thanks and gifts. Other large bodies of Indians were engaged, under leaders of their own approval. "Wretched colonies!" said the Brunswick major-general, "if these wild souls are indulged in war."

To secure the Mohawks to the British side, Joseph Brant, their young chief, urged them to abandon their old abode for lands more remote from American settlements. To counteract his authority, Gates, near the end of May, thus spoke to a council of warriors of the Six Nations:

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"Brothers: the United States are now one people; suffer not any evil spirit to lead you into war. Brothers of the Mohawks! you will be no more a people from the time you quit your ancient habitations; if there is any wretch so bad as to think of prevailing upon you to leave the sweet stream so beloved by your forefathers, he is unworthy to be called a Mohawk; he is your bitterest enemy. Before many moons pass away, the pride of England will be laid low; then, when your American brothers have no enemy to contend with, how happy will it make you to reflect that you have preserved the neutrality so earnestly recommended to you from the beginning of the war. Brothers of the Six Nations: the Americans well know your great fame and power as warriors; the only reason why they did not ask your help against the cruelty of the king was, that they thought it ungenerous to desire you to suffer in a quarrel in which you had no concern. Brothers: treasure all I have now said in your hearts; for the day will come when you will hold my memory in veneration for the good advice contained in this speech."[1]

The settlers in the land which this year took the name of Vermont, refused by a great majority to come under the jurisdiction of New York; on the fifteenth of January, 1777, their convention declared the independence of their state. At Windsor, on the second of June, they appointed a committee to prepare a constitution; and they hoped to be received as a new member of the Union. But as New York

[1] From the MSS. of Gates in the collections of the New York Historical Society.

insisted on its legal right, congress, by an uncertain majority against a large and determined minority, disclaimed the intention of recognising Vermont.

Gates, who had the good luck to be relieved just before inevitable mishaps, charged Saint Clair to "call lustily for aid of all kinds, for no general ever lost by surplus numbers, or over-preparation;" and he then repaired to Philadelphia, to secure his reinstatement.

On the twelfth, Saint Clair, the best of the brigadiers then in the north, reached Ticonderoga. Five days later, Schuyler visited his army. Mount Defiance, which overhangs the outlet of Lake George and was the acknowledged "key of the position," was left unoccupied. From the old French intrenchments to the southeastern works on the Vermont side, the wretchedly planned and unfinished defences extended more than two miles and a half; and from end to end of the straggling lines and misplaced blockhouses there was no spot which could be held against a superior force. The British could reach the place by the lake more swiftly than the Americans through the forest. The only good part was, to prepare for evacuating the post; but from the dread of clamor, shirking the responsibility of giving definite instructions, Schuyler returned to Albany, and busied himself with forwarding to Ticonderoga supplies for a long siege.

On the sixth of May, Burgoyne arrived at Quebec. Carleton received with amazement despatches rebuking him for his conduct of the last campaign, and ordering him, for "the speedy quelling of the rebellion," to make over to his inferior officer the com-

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mand of the Canadian army, as soon as it should cross the boundary of the province of Quebec. The austere man, answering the not unjust reproaches of the secretary, and of Amherst, the secretary's counsellor, with passionate recrimination, at once yielded the chief military authority, and as civil governor paid a haughty but unquestioning obedience to the requisitions of his successor. Contracts were made for fifteen hundred horses and five hundred carts; a thousand Canadians, reluctant and prone to desertion, were called out as road-makers and wagoners; and six weeks' supplies for the army were crowded forward upon the one line of communication by the Sorel. Burgoyne had very nearly all the force which he had represented as sufficient. His officers were exceedingly well chosen, especially Phillips and Riedesel as major-generals and the Highlander Fraser as an acting brigadier. Sir William Howe was promptly notified that Burgoyne had precise orders to force a junction with the army in New York.

A diversion, from which great consequences were expected, was to proceed by way of Lake Ontario to the Mohawk river, while, on the fifteenth of June, Burgoyne advanced from Saint Johns, as he thought, to easy victories and high promotion. Many officers' wives attended their husbands, promising themselves an agreeable trip to New York.

On the twentieth, some of the Indians, shedding the first blood, brought in ten scalps and as many prisoners. The next day, at the camp near the river Bouquet, a little north of Crown Point, Burgoyne met in congress about four hundred Iroquois, Algonquin, and Ottawa savages. Pleased with the oppor-

tunity for display, he appealed "to their wild honor" in phrases elaborately prepared:

"Chiefs and Warriors: the great king, our common father, has considered with satisfaction the general conduct of the Indian tribes from the beginning of the troubles in America. The refuse of a small tribe at first were led astray, demonstrating to the world how few and how contemptible are the apostates. These pitiful examples excepted, the collective voices and hands of the Indian tribes over this vast continent are on the side of justice, of law, and of the king. The restraint you have put upon your resentment in waiting the king your father's call to arms is the hardest proof to which your affection could have been put. The further patience of your father would, in his eyes, become culpable; it therefore remains for me, the general of one of his majesty's armies, and in this council his representative, to release you from those bonds which your obedience imposed. Warriors! you are free; go forth in might of your valor and your cause; strike at the common enemies of Great Britain and America, disturbers of public order, peace, and happiness, destroyers of commerce, parricides of the state. The circle round you, the chiefs of his majesty's European forces, and of the princes, his allies, esteem you as brothers in the war; emulous in glory and in friendship, we will reciprocally give and receive examples. Be it our task to regulate your passions when they overbear. I positively forbid bloodshed, when you are not opposed in arms. Aged men, women, children, and prisoners, must be held sacred from the knife and the hatchet, even in the time

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of actual conflict. You shall receive compensation for the prisoners you take, but you shall be called to account for scalps. Your customs have affixed an idea of honor to such badges of victory: you shall be allowed to take the scalps of the dead, when killed by your fire and in fair opposition; but on no account, or pretence, or subtlety, or prevarication, are they to be taken from the wounded, or even dying; and still less pardonable will it be held, to kill men in that condition upon a supposition that this protection to the wounded would be thereby evaded. Base, lurking assassins, incendiaries, ravagers, and plunderers of the country, to whatever army they may belong, shall be treated with less reserve; but the latitude must be given you by order; and I must be the judge of the occasion. Should the enemy, on their part, dare to countenance acts of barbarity towards those who may fall into their hands, it shall be yours to retaliate."

An old Iroquois chief thus replied: "We receive you as our father; because, when you speak, we hear the voice of our great father beyond the great lake. We have been tried and tempted by the Bostonians; but we loved your father, and our hatchets have been sharpened upon our affections. In proof of sincerity, our whole villages, able to go to war, are come forth. The old and infirm, our infants and wives, alone remain at home. With one common assent we promise a constant obedience to all you have ordered, and all you shall order; and may the Father of days give you many and success."

Having feasted the Indians according to their

custom, Burgoyne ostentatiously published his speech, which reflected his instructions, but not English opinion. Edmund Burke, who had learned that the natural ferocity of those tribes far exceeded the ferocity of all barbarians mentioned in history, pronounced that they were not fit allies for the king in a war with his people; that Englishmen should never confirm their evil habits by fleshing them in the slaughter of British colonists. In the house of commons Fox censured the king for suffering them in his camp, when it was well known that "brutality, murder, and destruction were ever inseparable from Indian warriors." When Suffolk, before the lords, contended that it was perfectly justifiable to use all the means which God and nature had put into their hands, Chatham called down "the most decisive indignation at these abominable principles and this more abominable avowal of them." At a later day, Burgoyne offered the false excuse, that "he spoke daggers, but used none."

In a proclamation issued at Crown Point, Burgoyne, claiming to speak "in consciousness of Christianity and the honor of soldiership," enforced his persuasions to the Americans by menaces like these: "Let not people consider their distance from my camp; I have but to give stretch to the Indian forces under my direction, and they amount to thousands, to overtake the hardened enemies of Great Britain. If the frenzy of hostility should remain, I trust I shall stand acquitted in the eyes of God and man in executing the vengeance of the state against the wilful outcasts."

On the last day of June, he published in general

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orders: "This army must not retreat;" while Saint Clair wrote to Schuyler: "Should the enemy attack us, they will go back faster than they came." On the first of July the invading army moved up the lake. As they encamped at evening before Ticonderoga and Mount Independence, the rank and file, exclusive of Indians, numbered three thousand seven hundred and twenty-four British, three thousand and sixteen Germans, two hundred and fifty provincials, besides four hundred and seventy-three of the choicest artillerists, with the most complete supply of artillery ever furnished to such an army. On the third, one of Saint Clair's aids promised Washington "the total defeat of the enemy;" but on that day Riedesel was studying how to invest Mount Independence. On the fourth, Phillips seized the mills near the outlet of Lake George, and hemmed in Ticonderoga on that side. In the following night, a party of infantry, following the intimation of Lieutenant Twiss of the engineers, took possession of Mount Defiance. In one day more, batteries from that hill would play on both forts, and Riedesel complete the investment of Mount Independence. "We must away," said Saint Clair, as he awoke to the desperateness of his situation; his council of war were all of the same mind, and the retreat must be made the very next night. The garrison, according to his low estimate, consisted of thirty-three hundred men, of whom two thirds were effective, but with scarcely more than one bayonet to every tenth soldier. One regiment, the invalids, and such stores as there was time to lade, were sent in boats up the lake to Whitehall, while the great body of the troops,

under Saint Clair, with no more confusion than necessarily attended a sudden movement in darkness under inexperienced brigadiers, took the new road through the wilderness to Hubbardton.

At daybreak on the sixth, Fraser moved swiftly upon Ticonderoga, and Riedesel occupied Fort Independence. They found ample stores of ammunition, flour, salt meat, and herds of oxen, more than seventy cannon, and what to the Americans was a most severe loss, a large number of tents. Burgoyne, who came up in the fleet, sent Fraser with twenty companies of English grenadiers, followed by Riedesel's infantry and reserve corps, in pursuit of the army of Saint Clair; and as soon as a passage could be cleared through the bridge that barred the channel between Ticonderoga and Mount Independence, the fleet, bearing Burgoyne and the rest of his forces, chased after the detachment which had escaped by water. The Americans, burning three of their vessels, abandoned two others and the fort at Whitehall. Everything which they brought from Ticonderoga was destroyed, or fell a prey to their pursuers.

On the same day, Burgoyne reported to his government that the army of Ticonderoga was "disbanded and totally ruined." Lord George Germain cited to General Howe this example of "rapid progress," and predicted an early junction of the two armies. Men disputed in England whether most to admire the sword or the pen of Burgoyne. They gave him Cæsar's motto. They taunted the Americans as cowards who dared not stand before compacted Britons, and were sure of the entire conquest of the confederated provinces before Christmas.

CHAPTER XXII.

PROGRESS OF THE CAMPAIGN IN THE NORTH.

JULY — AUGUST 21, 1777.

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ON the second of July, the convention of Vermont reassembled at Windsor. The organic law which they adopted, blending the gains of the eighteenth century with the traditions of Protestantism, assumed that all men are born free, and with inalienable rights; that they may emigrate from one state to another, or form a new state in vacant countries; that "every sect should observe the Lord's day, and keep up some sort of religious worship;" that every man may choose that form of religious worship "which shall seem to him most agreeable to the revealed will of God." They provided for a school in each town, a grammar-school in each county, and a university in the state. All officers, alike executive and legislative, were to be chosen annually, and by ballot; the freemen of every town and all one-year's residents were electors. Every member of the house of representatives must declare "his belief in one God, the rewarder of the good and the punisher

of the wicked; in the divine inspiration of the Scriptures; and in the Protestant religion." The legislative power was vested in one general assembly, subject to no veto, though an advisory power was given to a board consisting of the governor, lieutenant-governor, and twelve councillors. Slavery was forbidden expressly and forever; and there could be no imprisonment for debt. Once in seven years an elective council of censors was to take care that freedom and the constitution were preserved in purity.

After the loss of Ticonderoga, the establishment of the new government was postponed, lest the process of change should interfere with the public defence; and the Vermont council of safety despatched supplicatory letters for aid to the New Hampshire committee at Exeter and to Massachusetts.

On the night of the sixth, Fraser and his party made their bivouac seventeen miles from the lake, with that of Riedesel three miles in their rear. At three in the morning of the seventh both detachments were in motion. The savages having discovered the rear-guard of Saint Clair's army, which Warner, contrary to his instructions, had encamped for the night at Hubbardton, six miles short of Castleton, Fraser, at five, ordered his troops to advance. To their great surprise, Warner, who was nobly assisted by Colonel Eben Francis and his New Hampshire regiment, turned and began the attack. The English were like to be worsted, when Riedesel with his vanguard and company of yagers came up, their music playing, the men singing a battle-hymn. Francis for a third time charged at the head of his regiment, and held the enemy at bay till he fell. On the approach of

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the three German battalions, his men retreated towards the south. Fraser, taking Riedesel by the hand, thanked him for the timely rescue. Of the Americans few were killed, and most of those engaged in the fight made good their retreat; but during the day the British took more than two hundred stragglers, wounded men, and invalids. Of the Brunswickers twenty-two were killed or wounded, of the British one hundred and fifty-five. The heavy loss stopped the pursuit, and Saint Clair, with two thousand excellent continental troops, marched unmolested to Fort Edward.

The British regiment which chased the fugitives from Whitehall took ground within a mile of Fort Ann. On the morning of the eighth, its garrison drove them nearly three miles, took a captain and three privates, and inflicted a loss of at least fifty[1] in killed and wounded. Reënforced by a brigade, the English returned only to find the fort burned down, and the garrison beyond reach.

Burgoyne chose to celebrate these events by a day of thanksgiving; but the spirit of the Americans was alarming, while the loss of men in the two engagements, and by bad food, and camping out in all weathers, could ill be borne. Another disappointment awaited him. He asked Carleton to hold Ticonderoga with a part of the three thousand troops left in Canada; Carleton, pleading his instructions, which confined him to his own province, unexpectedly refused, and left Burgoyne "to drain the life-blood of his army" for the garrison. Again, supplies of provisions came tardily. Of the Canadian horses con-

[1] Riedesel's journal. MS.

tracted for not more than one third were brought in good condition over the wild mountain roads. The wagons were made of green wood, and, moreover, were deficient in number. Further, Burgoyne should have turned back from Whitehall, and moved to the Hudson river by way of Lake George and the old road; but the word was, "Britons never recede;" and after the halt of a fortnight he took the short cut to Fort Edward, through a wilderness bristling with woods, broken by numerous creeks, and treacherous with morasses. In his letters he dwells with complacency on the construction of more than forty bridges, a "log-work" over a morass two miles in extent, and the removal of layers of fallen timber-trees. But this persistent toil in the heat of midsummer, among myriads of insects, dispirited his troops.

Early in July, Burgoyne confessed to Germain, that, "were the Indians left to themselves, enormities too horrid to think of would ensue; guilty and innocent, women and infants, would be a common prey." The general, nevertheless, resolved to use them as instruments of "terror," and promised, after arriving at Albany, to send them "towards Connecticut and Boston," knowing full well that they were actually left to themselves by La Corne Saint Luc, their leader, who was impatient of control in the use of the scalping-knife.[1] Every day the savages brought in scalps as well as prisoners. On the twenty-seventh, Jane MacCrea, a young woman of twenty, betrothed to a loyalist in the British service and esteeming herself under the protection of British arms, was riding from Fort Edward to the British

[1] Burgoyne in Almon's Parliamentary Debates, ix. 220.

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camp at Sandy Hill, escorted by two Indians. The Indians quarrelled about the reward promised on her safe arrival, and at a half-mile from Fort Edward one of them sunk his tomahawk in her skull. The incident was not of unusual barbarity; but this massacre of a betrothed girl on her way to her lover touched the hearts of all who heard the story. Burgoyne hunted out the assassin, and threatened him with death, but pardoned him on hearing that "the total defection of the Indians would have ensued from putting that threat into execution."

Meantime, the British were never harried by the troops with Schuyler, against whom public opinion was rising. Men reasoned rightly, that, if Ticonderoga was untenable, he should have known it, and given timely orders for its evacuation; instead of which he had been heaping up stores there to the last. To screen his popularity, he insisted that the retreat was made without the least hint from himself, and was "ill-judged and not warranted by necessity." With manly frankness Saint Clair assumed the sole responsibility of the praiseworthy act which had saved to the country many of its bravest defenders.

Schuyler owed his place to his social position, not to military talents. Anxious, and suspected of a want of personal courage, he found everything go ill under his command. To the continental troops of Saint Clair, who were suffering from the loss of their clothes and tents, he was unable to restore confidence; nor could he rouse the people. The choice for governor of New York fell on George Clinton; "his character," said Washington to the coun-

cil of safety, "will make him peculiarly useful at the head of your state." Schuyler wrote: "his family and connections do not entitle him to so distinguished a preëminence." The aid of Vermont was needed; Schuyler would never address its secretary except in his "private capacity." There could be no hope of a successful campaign, but with the hearty coöperation of New England; yet Schuyler gave leave for one half of its militia to go home at once, and the rest to follow in three weeks, and then called upon Washington to supply their places by troops from the south of Hudson river, saying to his friends that one southern soldier was worth two from New England.

On the twenty-second, long before Burgoyne was ready to advance, Schuyler retreated to a position four miles below Fort Edward. Here again he complained of his "exposure to immediate ruin." His friends urged him to silence the growing suspicion of his cowardice; he answered: "If there is a battle, I shall certainly expose myself more than is prudent." To the New York council of safety he wrote on the twenty-fourth: "I mean to dispute every inch of ground with Burgoyne, and retard his descent as long as possible;" and in less than a week, without disputing anything, he retreated to Saratoga, having his heart set on a position at the junction of the Mohawk and Hudson. The courage of the commander being gone, his officers and his army became spiritless; and, as his only resource, he solicited aid from Washington with unreasoning importunity.

The loss of Ticonderoga alarmed the patriots of New York, gladdened the royalists, and fixed the

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wavering Indians as enemies. Five counties were in the possession of the enemy; three others suffered from disunion and anarchy; Tryon county implored immediate aid; the militia of Westchester were absorbed in their own defence; in the other counties, scarcely men enough remained at home to secure the plentiful harvest. Menaced on its border from the Susquehanna to Lake Champlain, and on every part of the Hudson, New York became the battle-field for the life of the young republic; it had crying need of help; its council accepted Schuyler's excuses, and seconded his prayers for reënforcements.

As commander-in-chief of all the armies of America, Washington watched with peculiar care over the northern department; in the plan of the campaign he had assigned it more than its share of troops and resources; and he added one brigade which was beyond the agreement, and of which he stood in pressing need, for the army of Howe was twice or thrice as numerous as that from Canada. In this time of perplexity, when the country from the Hudson to Maryland required to be guarded, the entreaties from Schuyler, from the council of New York, and from Jay and Gouverneur Morris as deputies of that council, poured in upon Washington. Alarmed by Schuyler's want of fortitude, he ordered to the north Arnold, who was fearless, and Lincoln, who was acceptable to the militia of the Eastern states. Beside those generals he sent, even though it weakened his own army irretrievably, still one more excellent brigade of continental troops under Glover. To hasten the rising of New England, he wrote directly to the brigadier-generals of Massachusetts and Con-

necticut, urging them to march for Saratoga with at least one third part of the militia under their command. At the same time he bade Schuyler "never despair," explaining that the forces which might advance under Burgoyne could not much exceed five thousand men; that they must garrison every fortified post left behind them; that their progress must be delayed by their baggage and artillery, and by the necessity of cutting out new roads and clearing old ones; that a party should be stationed in Vermont to keep them in continual anxiety for their rear; that Arnold should go to the relief of Fort Stanwix; that, if the invaders continued to act in detachments, one vigorous fall upon some one of those detachments might prove fatal to the whole expedition.

In a like spirit he expressed to the council of New York "the most sensible pleasure at the exertions of the state, dismembered as it was, and under every discouragement and disadvantage;" the success of Burgoyne, he predicted, would be temporary; the Southern states could not be asked to detail their force, since it was all needed to keep Howe at bay; the attachment of the Eastern states to the cause insured their activity when invoked for the safety of a sister state, of themselves, of the continent; the worst effect of the loss of Ticonderoga was the panic which it produced; calmly considered, the expedition was not formidable; if New York should be seasonably seconded by its eastern neighbors, Burgoyne would find it equally difficult to advance or to retreat.

All this while Schuyler continued to despond. On the thirteenth of August he could write from Stillwa-

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ter to Washington: "We are obliged to give way and retreat before a vastly superior force, daily increasing in numbers, and which will be doubled if General Burgoyne reaches Albany, which I apprehend will be very soon;"[1] and the next day, flying from a shadow cast before him, he moved his army to the first island in the mouth of the Mohawk river. He pitied the man who should succeed him, and accepted the applause of his admirers at Albany for "the wisdom of his safe retreat." For all this half-heartedness, the failure of Burgoyne was certain; but the glory of his defeat was reserved for soldiers of Virginia, New York, and New England. The first blow was struck by the husbandmen of Tryon county.

Burgoyne, on his return to London in 1776, played the sycophant to Germain[2] by censuring Carleton for not having used the Oswego and Mohawk rivers for an auxiliary expedition,[3] which he had offered to lead. Overflowing afresh with bitterness for this neglect, Germain adopted the plan, and settled the details for its execution chiefly by savages. To Carleton, whom he accused of being "resolved to avoid employing Indians,"[4] he announced the king's "resolution that every means should be employed that Providence had put in his majesty's hand for crushing the rebellion."[5] The savages were, moreover, to be committed to more indulgent officers than Carleton had approved.[6]

[1] Schuyler to Washington, 13 August, 1777. MS.

[2] Conversation with General Burgoyne after his arrival in England, cited in Précis of operations on the Canadian frontier. MS.

[3] Compare Carleton to Germain, 13 October, 1777: "to give him [Burgoyne] a suitable command on the Mohawk river."

[4] Précis of operations on Canadian frontier.

[5] Germain to Carleton, 26 March, 1777. MS.

[6] Germain to Carleton, 19 March, 1777. MS.

And now Burgoyne was himself to forward the movement of which he was confident that the dread would scatter the American army and open an unobstructed way to Albany.[1] The force under Saint Leger, varying from the schedule of Germain in its constituent parts more than in its numbers, exceeded seven hundred and fifty white men. For the Indians neutrality had charms, and "the Six Nations inclined to the rebels" from fear of being finally abandoned by the king. The Mohawks could not rise, unless they were willing to leave their old hunting-grounds; the Oneidas were friendly to the Americans; even the Senecas were hard to be roused. Butler at Irondequat assured them that there was no hindrance in the war-path, that they would have only to look on and see Fort Stanwix fall; and for seven days he lavished largesses on the fighting men and on their wives and children, till "they accepted the hatchet" which he gave them.[2] "Not much short of one thousand Indian warriors,"[3] certainly "more than eight hundred,"[4] joined the white brigade of Saint Leger. In addition to these, Hamilton, the lieutenant-governor of Detroit, in obedience to orders from the secretary of state,[5] sent out fifteen several parties, consisting in the aggregate of two hundred and eighty-nine red braves with thirty white officers and rangers,[6] to prowl on the frontiers of Pennsylvania and Virginia.

Collecting his forces as he advanced from Mon-

1 Compare Riedesel's diary.

2 Colonel John Butler to Carleton, 28 July, 1777.

3 Colonel Butler to Carleton, 28 July, 1777.

4 Col. Daniel Claus to Secretary Knox, in Brodhead's Documents, viii. 721.

5 Germain to Carleton, 26 March, 1777. MS.

6 Lieut.-Gov. Hamilton to Germain, Detroit, 27 July, 1777. MS.

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treal by way of Oswego, Saint Leger on the third of August came near the carrying-place, where for untold ages the natives had borne their bark canoes over the narrow plain that divides the waters of the Saint Lawrence from those of the Hudson. He found a well-constructed fortress, safe by earthworks against his artillery, and garrisoned by six or seven hundred men under Lieutenant-Colonel Gansevoort. A messenger from Brant's sister brought word that Herkimer and the militia of Tryon county were marching to its relief. A plan was made to lay an ambush of savages for this party, which encamped on the fifth at a distance of twelve miles. During the evening the savages filled the woods with yells. The next morning, having carefully laid aside their blankets and robes of fur, the whole corps of Indians went out, naked, or clad only in hunting-shirts, armed with spear, tomahawk, and musket, and supported by Sir John Johnson and some part of his royal Yorkers, by Colonel Butler and his rangers, by Claus and his Canadians, and by Lieutenant Bird and a party of regulars.

The patriot freeholders of the Mohawk valley, seven or eight hundred in number, misinformed as to the strength of the besieging party, marched through the wood with security and carelessness. About an hour before noon, when they were within six miles of the fort, their van entered the ambuscade. They were surprised in front by Johnson and his Yorkers, while the Indians attacked their flanks with fury, and after using their muskets rushed in with their tomahawks. The patriots fell back with-

out confusion to better ground, and renewed the fight against superior numbers. There was no chance for tactics in this battle of the wilderness. Small parties fought from behind trees or fallen logs; or the white man, born on the banks of the Mohawk, wrestled single-handed with the Seneca warrior, like himself the child of the soil, mutually striking mortal wounds with the bayonet or the hatchet, and falling in the forest, "their left hands clenched in each other's hair, their right grasping in a gripe of death the knife plunged in each other's bosom."[1] Herkimer was badly wounded below the knee, but he remained on the ground giving orders to the end. Thomas Spencer died the death of a hero. The battle raged for at least an hour and a half, when the Americans repulsed their assailants, but with the loss of about one hundred and sixty killed, wounded, and taken, the best and bravest people of western New York. The savages fought with wild valor; three-and-thirty or more of their warriors, among them the chief warriors of the Senecas, lay dead beneath the trees; about as many more were badly wounded. Of the Yorkers one captain, of the rangers two were killed; another was left for dead on the field. What number of privates fell is not told. The British loss, including savages and white men, was probably about one hundred.

Three men having crossed the morass into Fort Stanwix to announce the approach of Herkimer, by Gansevoort's order two hundred and fifty men, half of New York, half of Massachusetts, under Lieu-

[1] Gouverneur Morris in N. Y. Hist. Coll. ii. 133.

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tenant-Colonel Marinus Willett, made a sally in the direction of Oriska. They passed through the quarters of the Yorkers, the rangers, and the savages, driving before them whites and Indians, chiefly squaws and children, capturing Sir John Johnson's papers, five British flags, the gala fur-robes and the new blankets and kettles of the Indians, and four prisoners. Learning from them the check to Herkimer, the party of Willett returned quickly to Fort Stanwix, bearing their spoils on their shoulders. The five captured colors were displayed under the continental flag. It was the first time that a captured banner had floated under the stars and stripes of the republic. The Indians were frantic with grief at the death of their chiefs and warriors; they suffered in the chill nights from the loss of their clothes; and not even the permission in which they were indulged of torturing and killing their captives, "conformable to the Indian custom,"[1] could prevent their beginning to return home.

Meantime, Willett, with Lieutenant Stockwell as his companion, "both good woodsmen," made their way past the Indian quarter at the hazard of death by torture, in quest of a force to confront the savages; and Arnold was charged with the command of such an expedition. Long before its approach, an Indian ran into camp reporting that a

[1] This is undisputed. The British official account is: "Many of the taken were, conformable to the Indian custom, afterwards killed." Col. Butler to Carleton, Camp before Fort Stanwix, 15 August, 1777. The American account is confirmatory: "The savages murdered Isaac Paris barbarously. They dragged one of the prisoners out of the guard with the most lamentable cries, tortured him for a long time, and this deponent was informed by both tories and Indians that they ate him." Affidavit of Moses Younglove, surgeon of General Herkimer's brigade, in Stone's Brant, Appendix iv.

thousand men were coming against them; another followed, doubling the number; a third brought a rumor that three thousand men were close at hand; and, deaf to Saint Leger and to their superintendents, the wild warriors robbed the British officers of their clothes, plundered the boats, and made off with the booty. Saint Leger in a panic, though Arnold was not within forty miles, hurried after them before nightfall, leaving his tents standing, and abandoning most of his artillery and stores.

It was "Herkimer[1] who," in the opinion of Washington, "first reversed the gloomy scene" of the northern campaign. The hero of the Mohawk valley "served from love of country, not for reward. He did not want a continental command or money." Before congress had decided how to manifest the gratitude of his country, he died of his wound; and they decreed him a monument. Gansevoort was rewarded by a vote of thanks and a command; Willett by public praise and "an elegant sword."

The employment of Indian allies had failed. The king, the ministry, and, in due time, the British parliament, were informed officially that the wild red men "treacherously committed ravages upon their friends;"[2] that "they could not be controlled;"[3] that "they killed their captives after the fashion of their tribes;"[4] that "there was infinite difficulty

[1] "It is his [Herkimer's] misfortune to want the powers of description, and we have a most lame and imperfect account of the great event." MS. letter of Duane, August, 1777, in the papers of R. R. Livingston. The secretary of state caused his department to be searched for Herkimer's letter, but it could not be found.

[2] Barry Saint Leger to Burgoyne, 27 August, 1777.

[3] Baum to Burgoyne, 14 August, 1777.

[4] Col. Butler in Almon's Parliamentary Debates, viii. 227.

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to manage them;"[1] that "they grew more and more unreasonable and importunate."[2] Could the government of a civilized state insist on courting their alliance? When the Seneca warriors, returning to their lodges, told the story of the slaughter of their chiefs, their villages rung with the howls of mourners,[3] the yells of rage. We shall see interested British emissaries, acting under the orders of Germain and the king, make the life of these savages a succession of revenges, and lead them on to the wreaking of all their wrath in blood.

Burgoyne, who on the thirtieth of July had his head-quarters on the banks of the Hudson, was proud of his management of the Indians, of whom he had detachments from seventeen nations. A Brunswick officer describes them as "tall, warlike, and enterprising, but fiendishly wicked, man-eaters, or certainly, in their fury, capable of unfleshing an enemy with their teeth."[4] On the third of August they brought in twenty scalps and as many captives; and Burgoyne noticed with approval[5] their incessant activity. To prevent desertions, it was announced in orders to each regiment, that the savages were enjoined to scalp every runaway. The Ottawas longed to go home; but on the fifth of August, nine days

[1] Burgoyne to Howe, 6 August, 1777, transmitted to Germain, 21 October, 1777.

[2] Burgoyne to Germain, 11 July, 1777. Burgoyne's Expedition, Appendix xxxviii., and compare Burgoyne's review of the evidence: "The more warlike tribes . . . their only preëminence consisted in ferocity," page 129; "the Indians pined after a renewal of their accustomed horrors," 130; "A cordial coöperation with the Indians was only to be effected by an indulgence in blood and rapine," 130; "the Indian principle of war is at once odious and unavailing," 132. I quote in the text from official letters only.

[3] Life of Mary Jemison, 4th ed. 117.

[4] Schlözer's Briefwechsel, iii. 280.

[5] Burgoyne to Howe, 5 August, 1777.

after the murder of Jane MacCrea, Burgoyne took from all his red warriors a pledge to stay through the campaign.[1] On the sixth, he reported himself to General Howe as "well forward," "impatient to gain the mouth of the Mohawk," but not likely to "be in possession of Albany" before "the twenty-second or the twenty-third" of the month.

To aid Saint Leger by a diversion, and fill his camp with draught cattle, horses, and provisions from the fabled magazines at Bennington, Burgoyne, on the eleventh of August, sent out an expedition on the left, commanded by Baum, a Brunswick lieutenant-colonel of dragoons, and composed of more than four hundred Brunswickers, Hanau artillerists with two cannon, the select corps of British marksmen, a party of French Canadians, a more numerous party of provincial royalists, and a horde of about one hundred and fifty[2] Indians. The general in his eagerness rode after Baum, and gave him verbal orders to march directly upon Bennington.[3] After disposing of the stores at that place, he might cross the Green Mountains, descend the Connecticut river to Brattleboro', and enter Albany with Saint Leger and Burgoyne. The night of the thirteenth, he encamped about four miles from Bennington, on a hill that rises from the Walloomscoick, just within the state of New York. When, early on the morning of the fourteenth, a reconnoitring party of Americans was seen, he wrote in high spirits for more troops, and constructed strong intrench-

1 Brunswick journal. MS.

2 La Corne Saint Luc to Burgoyne, Quebec, 23 October, 1778.

3 Riedesel's journal, of which I have his own draught, as well as a copy from the military archives at Berlin of that which was sent to Prince Ferdinand of Brunswick.

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ments. Burgoyne sent him orders to maintain his post;[1] and at eight o'clock on the fifteenth, Breymann, a Brunswick lieutenant-colonel, marched with two Brunswick battalions and two cannon, in a constant rain, through thick woods, to his support.

The supplicatory letter from Vermont to the New Hampshire committee of safety reached Exeter just after the session of the legislature; but its members came together again on the seventeenth of July, promptly resolved to coöperate "with the troops of the new state," and ordered Stark, with a brigade of militia, "to stop the progress of the enemy on their western frontier."

Uprising at the call, the men of New Hampshire flew to his standard, which he set up at Charlestown on the Connecticut river. Taking no heed of Schuyler's orders to join the retreating army, for which disobedience Schuyler brought upon him the censure of congress, and having consulted with Seth Warner of Vermont, Stark made his bivouac on the fourteenth of August at the distance of a mile from the post of Baum, to whom he vainly offered battle. The regiment of Warner came down from Manchester during the rain of the fifteenth; and troops arrived from the westernmost county of Massachusetts.

When the sun rose on the sixteenth, Stark concerted with his officers the plan for the day. Seeing small bands of men, in shirt-sleeves and carrying fowling-pieces without bayonets, steal behind his camp, Baum mistook them for friendly country people placing themselves where he could

[1] Burgoyne to Baum, 14 August, seven at night.

protect them; and so five hundred men under Nichols and Herrick united in his rear. While his attention was arrested by a feint, two hundred more posted themselves on his right; and Stark, with two or three hundred, took the front. At three o'clock Baum was attacked on every side. The Indians dashed between two detachments, and fled, leaving their grand chief and others on the field. New England sharp-shooters ran up within eight yards[1] of the loaded cannon, to pick off the cannoneers. When, after about two hours, the firing of the Brunswickers slackened from scarcity of powder, the Americans scaled the breastwork and fought them hand to hand. Baum ordered his infantry with the bayonet, his dragoons with their sabres, to force a way; but he fell mortally wounded, and his veteran troops surrendered.

Just then the battalions of Breymann, having taken thirty hours to march twenty-four miles, came in sight. Warner now first brought up his regiment, of one hundred and fifty men, into action, and with their aid Stark began a new attack, using the cannon just taken. The fight raged till sunset, when Breymann, abandoning his artillery and most of his wounded men, ordered a retreat. The pursuit continued till night; those who escaped owed their safety to the darkness. During the day less than thirty of the Americans were killed, and about forty were wounded; the loss of their enemy was estimated at full twice as many, besides at least six hundred and ninety-two prisoners, of whom more than four hundred were Germans.

[1] Schlözer's Briefwechsel, iii. 39.

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This victory, one of the most brilliant and eventful of the war, was achieved spontaneously by the husbandmen of New Hampshire, Vermont, and western Massachusetts. Stark only confirms the reports of German officers when he writes: "Had our people been Alexanders or Charleses of Sweden, they could not have behaved better."

At the news of Breymann's retreat, the general ordered his army under arms; and at the head of the forty-seventh regiment he forded the Battenkill, to meet the worn-out fugitives. The loss of troops was irreparable. Many of the Canadians deserted; the Indians of the remote nations began to leave in disgust. For supplies Burgoyne was thrown back upon shipments from England, painfully transported from Quebec by way of Lake Champlain and Lake George to the Hudson river. Before he can move forward, he must, with small means of transportation, bring together stores for thirty days, and drag nearly two hundred boats over two long carrying-places.

Burgoyne's campaign had proceeded as foreshadowed by Washington; yet the anxious care of congress concentred itself there. On the first of August, it relieved Schuyler from command by an almost unanimous vote, and on the fourth eleven states elected Gates his successor. Before he assumed the command, Fort Stanwix was safe and the victory of Bennington achieved; yet it hastened to vote him all the powers and all the aid which Schuyler in his moods of despondency had entreated. Touched by the ringing appeals of Washington, thousands of the men of Massachusetts, even from

the counties of Middlesex and Essex, were in motion towards Saratoga. Congress, overriding Washington's advice, gave Schuyler's successor plenary power to make requisitions for additional numbers of militia on New York, New Jersey, and Pennsylvania. Washington had culled from his troops five hundred riflemen, and formed them under Morgan into the best corps of skirmishers that had ever been attached to an army; congress directed them to be sent immediately to assist Gates against the Indians; and Washington obeyed so promptly, that the order may seem to have been his own.

CHAPTER XXIII.

SIR WILLIAM HOWE TAKES PHILADELPHIA.

AUGUST — SEPTEMBER 26, 1777.

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THE favor lavished on the new chief of the northern department raised a doubt whether Washington was more than the first among peers, till congress declared that "they never intended to supersede or circumscribe his power;" but, partly from an unwillingness to own their mistakes, partly from the pride of authority, not unmixed with jealousy of his manifest superior popularity, they did not scruple to slight his advice and to neglect his wants. Though forewarned by him of the hopeless confusion that would ensue, they remodelled the commissary department in the midst of the campaign on a system which had neither unity nor subordination, and which no competent men would undertake to execute. Washington had endeavored to form the heart of his army of national troops, raised and officered directly by the United States: congress, after giving their formal consent, thwarted the scheme by their frowns. The general "used

every means in his power to destroy all kinds of state distinction in the army, and to have every part and parcel of it considered as continental:" congress, fast yielding to a system of politics founded on the paramount sovereignty of the several states, more and more reserved to their separate constituencies the business of recruiting and the appointment of all but general officers; and as these followed different modes in their levies and their appointments, there was no unity in the camp. Political considerations had controlled the nomination of officers, of whom nearly all were inexperienced, many unteachable, and some of untried courage; but congress had not vigor enough to drop the incapable, and in their frugality expected that every one of them would be employed. The confusion was made worse by the numerous commissions to foreign adventurers, who thronged to the commander-in-chief with extravagant pretensions, and made the army "a just representation of a great chaos." "The wearisome wrangles between military officers scrambling for rank" drew members of congress into cabals. A reacting "spirit of reformation" was at first equally undiscerning; Kalb and Lafayette, arriving at Philadelphia near the end of July, met a rude repulse. When it was told that Lafayette desired no more than leave to risk his life in the cause of liberty, without pension or allowance, congress gave him the rank of major-general; but at first the services of Kalb, the ablest European officer who had come over, master of English, and familiar with the country, were rejected.

At this critical moment, the army of Washington

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was grievously weakened by Sullivan. That officer, who was stationed with his division at Hanover in New Jersey, that he might move rapidly to the Hudson or to Philadelphia, planned the surprise of some Jersey loyalists encamped on Staten Island. Ogden, with a company under Frelinghuysen and two regiments, landed from three boats to the south of Freshkills, and though a man-of-war in New York bay fired alarm-cannon, he captured more than eighty men, drove the fugitives to intrenchments near Prince's bay, and returned seasonably with his prisoners. Sullivan, who at two in the afternoon of the twenty-first of August left Hanover with one thousand picked men, during the following night crossed from Elizabethport to Staten Island. Before day he divided his force, sending one part of it in the direction of what is now New Brighton, and leading the other towards Freshkills. On his march he dragged off eight-and-twenty tory civilians, picked up as many more stragglers, and searched the houses of Quakers, where he found papers, which, when transmitted to congress, caused the exile of a few Pennsylvanians to Virginia; but he "missed the opportunity of reaping decided advantages." Precious time was lost in reuniting his corps; and when British and German regiments came near, his rear-guard was left behind to be captured. By this ill-timed and ill-conducted expedition, Sullivan lost about two hundred of his very best troops, and so fatigued those who escaped, that he could not obey the orders which met him on his return, to join Washington with all speed.

Leaving more than seven regiments in Rhode

Island, and about six thousand men under Sir Henry Clinton at New York, Howe began on the fifth of July to embark the main body of his army for a joint expedition with the naval force against Philadelphia. The troops, alike foot and cavalry, waited on shipboard in the stifling heat till the twenty-third, for their indolent general. The fleet of nearly three hundred sail spent seven days in beating from Sandy Hook to the capes of Delaware. On the report that the river was obstructed, it went for the Chesapeake, laveering against the stiff southerly winds of the season. August was half gone when it turned Cape Charles; then, ascending the bay, and passing Annapolis, of which the little guard hung out its banner, on the twenty-fifth, after a voyage of thirty-three days, it anchored in Elk river, six miles below Elktown and fifty-four miles from Philadelphia.

Expressing the strange judgments and opinions of many of his colleagues, John Adams could write: "We shall rake and scrape enough to do Howe's business; the continental army under Washington is more numerous by several thousands than Howe's whole force; the enemy give out that they are eighteen thousand strong, but we know better, and that they have not ten thousand. Washington is very prudent; I should put more to risk, were I in his shoes; but perhaps he is right. Ganse-voort has proved that it is possible to hold a post, and Stark that it is practicable even to attack lines and posts, with militia. I wish the continental army would prove that anything can be done. I am weary with so much insipidity; I am

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sick of Fabian systems. My toast is, a short and violent war." Now at that time the army of Howe, in excellent health, counted at the lowest statements seventeen thousand one hundred and sixty-seven[1] men, beside the corps of engineers; or, according to returns in the British department of state, nineteen thousand five hundred effective men,[2] and the officers amounted to at least one fifth as many more. Officers and men were soldiers by profession, selected from the best of the British empire and the best of the warlike race of Hesse, and perfectly equipped.

Congress gave itself the air of efficiency by calling out the militia of Maryland, Delaware, Pennsylvania, and New Jersey; but New Jersey had to watch the force on the Hudson; the slaveholders on the Maryland eastern shore and in the southern county of Delaware were disaffected; the new government in Pennsylvania, which possessed no store of arms and had relaxed its preparations in the confidence that the danger was past, was hateful to a great majority of the inhabitants, and continued to be split by selfish factions even in the presence of the enemy. The number of Pennsylvania militia with Washington did not exceed twelve hundred, and did not increase beyond twenty-five hundred; Mifflin, the quartermaster-general, though a Pennsylvanian, rendered no service whatever. There was no hope of a rising of the people around; and the really

[1] Münchhausen's statement, with the addition of six hundred and sixty-nine artillerists whom he omitted. MS.

[2] "He [Sir William Howe] carried with him from New York 19,500." Sir William Howe's Army Campaign, 1777, in state-paper office, America and West Indies, cclxix.

effective men under Washington, including militia, volunteers, and the division of Sullivan, were but about eleven thousand five hundred.

Congress never exacted more from Washington, and never gave him less support; but he indulged in no complaint, and his cheerful courage had root in his own fortitude. His army reflected his patriotism, and the presence of enthusiasts from Europe proved to him the good-will of other nations. There the young Marquis de Lafayette, received into his family as a volunteer without command, risked life for the rights of man. The Marquis de la Rouerie, at home the victim of a misplaced love, called in America Colonel Armand, commanded an independent corps of such recruits as could not speak English. The recklessly daring Pulaski, whose eager zeal had wrought no good for his own country, an exile from Poland, now gave himself to the New World.

On the twenty-fourth of August, Washington led his troops, decorated with sprays of green, through the crowded streets of Philadelphia to overawe the disaffected; the next day he reached Wilmington just as the British anchored in the Elk with the purpose of marching upon Philadelphia by an easy inland route through an open country which had no difficult passes, no rivers but fordable ones, and was inhabited chiefly by royalists and Quakers. Until Sullivan, after more than a week, brought up his division, the American army, which advanced to the highlands beyond Wilmington, was not more than half as numerous as the British; but Howe from the waste of horses by his long voyage was

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compelled to inactivity till others could be seized or purchased.

On the third of September, the two divisions under Cornwallis and Knyphausen began the march towards Philadelphia; by Washington's order Maxwell and the light troops, formed by drafts of one hundred men from each brigade, occupied Iron hill, and after a sharp skirmish in the woods with a body of German yagers who were supported by light infantry, withdrew slowly and in perfect order. For two days longer Howe waited that he might transfer his wounded men to the hospital-ship of the fleet, and purchase still more means of transportation. Four miles from him Washington took post behind Red Clay creek, and invited an attack, encouraging his troops by speeches, by his own bearing, and by spirited general orders. On the eighth, Howe sent a strong column in front of the Americans to feign an attack, while his main army halted at Milltown. The British and Germans were rejoicing over the march so wisely planned, and as it was believed so secretly executed, and went to rest in full confidence of turning Washington's right on the morrow, and so cutting him off from the road to Lancaster. But at dawn on the ninth the American army was not to be seen. Washington divined his enemy's purpose, and by a masterly and really secret movement took post on the high grounds above Chad's ford on the north side of the Brandywine, directly in Howe's path.

Inferior in numbers and in arms, yet bent on earnest work, Washington disembarrassed his troops of their baggage and sent it forward to Chester.

A battery of cannon with a good parapet guarded the ford. The American left, resting on a thick, continuous forest along the Brandywine, which below Chad's ford becomes a rapid encumbered by rocks and shut in by abrupt, high banks, was sufficiently defended by Armstrong and the Pennsylvania militia. On the right the river was hidden by thick woods and the unevenness of the country; to Sullivan, the first in rank after the general, was assigned the duty of taking "every necessary precaution for the security of that flank,"[1] and the six brigades of his command, consisting of the divisions of Stirling, and of Stephen, and his own, were stationed in echelons along the river.

On the tenth the two divisions of the British army, led respectively by Knyphausen and Cornwallis, formed a junction at Kennet Square. At five the next morning more than half of Howe's army, leaving all their baggage even to their knapsacks behind them, and led by trusty guides, marched under the general and Cornwallis up the Great Valley road to cross the Brandywine at its forks. About ten o'clock, Knyphausen with his column, coming upon the river at Chad's ford, seven miles lower down, halted and began a long cannonade, manifesting no purpose of forcing the passage. Washington had "certain" information of the movement of Howe; less than half of the British army, encumbered with the baggage of the whole, was in his front, and its communication with the fleet had been given up. He, therefore, resolved to strike at once at the division with Knyphausen; if nothing

[1] Sparks's Washington, v. 109, correcting Sullivan's misstatement.

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more were done, a serious damage to its means of transportation would change the aspect of the campaign. As Washington rode up and down his lines the loud shouts of his men witnessed their love and confidence, and as he spoke to them in earnest and cheering words they clamored for battle. Sending word to Sullivan to cross the Brandywine at a higher ford, and thus prevent the hasty return of the body with Howe and Cornwallis while at the same time he would threaten the left flank of Knyphausen, Washington put his troops in motion. Greene with the advance was at the river's edge and about to begin the attack, when a message came from Sullivan, announcing that he had disobeyed his orders, that the "information on which these orders were founded must be wrong."

The information on which Washington acted, was precisely correct; he had made the best possible arrangement for an attack; his activity and courage equalled the wisdom of his judgment;[1] but the failure of Sullivan overthrew the design, which for success required swiftness of execution. After the loss of two hours, word was brought that the division of Cornwallis had passed the forks and was coming down with the intent to turn the American right. On the instant Sullivan was ordered to confront the advance. Lord Stirling and Stephen posted their troops in two lines on a rounded eminence southwest of Birmingham meeting-house; while Sullivan, who should have gone to their right, marched his division far beyond their extreme left, leaving a gap of a half-mile between them, so that

[1] Chastellux, i. 205.

he could render no service, and was exposed to be cut off. The other general officers, whom he "rode on to consult," explained to him the faultiness of his position, by which the right of his wing was unprotected. Upon this, Sullivan undertook to march his division from a half-mile beyond the left[1] to his proper place on the right. The British troops, which beheld this movement as they lay at rest for a full hour after their long march in the hot day, were led to the attack before he could form his line. His division, badly conducted, fled without their artillery, and could not be rallied. Their flight exposed the flank of Stirling and Stephen. These two divisions, only half as numerous as their assailants, in spite of the "unofficerlike behavior"[2] of Stephen, fought in good earnest, using their artillery from a distance, their muskets only when their enemy was within forty paces; but under the vigorous charge of the Hessians and British grenadiers, who vied with each other in fury as they ran forward with the bayonet, the American line continued to break from the right. Conway's brigade resisted well; Sullivan, so worthless as a general, showed personal courage; Lafayette, present as a volunteer, braved danger, and though wounded in the leg while rallying the fugitives, bound up the wound as he could, and kept the field till the close of the battle. The third Virginia regiment, commanded by Marshall and stationed apart in a wood, held out till both its flanks

[1] Sullivan to Congress, 27 Sept. 1777, in Farmer and Moore's Collections, ii. 210. This letter of Sullivan's is not in Sparks, but is essential to a correct understanding of the battle.

[2] Washington's charge against Stephen before the court-martial.

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were turned and half its officers and one third its men were killed or wounded.

Howe seemed likely to get in the rear of the continental army and complete its overthrow. But at the sound of the cannon on the right, taking with him Greene and the two brigades of Muhlenberg and Weedon, which lay nearest the scene of action, Washington marched swiftly[1] to the support of the wing that had been confided to Sullivan, and in about forty minutes met them in full retreat. His approach checked the pursuit. Cautiously making a new disposition of his forces, Howe again pushed forward, driving the party with Greene till they came upon a strong position, chosen by Washington, which completely commanded the road, and which a regiment of Virginians under Stevens and another of Pennsylvanians under Stewart were able to hold till nightfall.

In the heat of the engagement the division with Knyphausen crossed the Brandywine in one body at Chad's ford. The left wing of the Americans, under the command of Wayne, defended their intrenchments against an attack in front; but when, near

1 "Four miles in forty minutes." Muhlenberg's Muhlenberg, 94. "In forty-two minutes near four miles." Gordon, ii. 511. "Between three and four miles in forty-five minutes." Greene to Henry Marchant, 25 July, 1778. "At least four miles in forty-nine minutes." Johnson's Greene, i. 76. "Five miles in less than fifty minutes." Irving's Washington, iii. 207.

In company with my classmate Arthur Langdon Elwyn of Philadelphia, I passed a day on the ground of the Brandywine battle; my friend Henry D. Gilpin was my guide from Wilmington up the river. Perhaps this rapid march was less than three miles. The difficulty of fixing the distance exactly grows out of the uncertainty of the spot whence Washington took the brigades, which at any rate were nearest to his right wing, of the spot where he met the fugitives, and of his line of march, whether round about by the road or across the woods and fields. I think the former surveyor of wild lands did not go so much round about as a poorer woodsman might have done.

the close of the day, a strong detachment threatened their rear, they made a well-ordered retreat, and were not pursued.

The battle seemed to be over. Night was falling, when two battalions of British grenadiers under Meadow and Monckton received orders to occupy a cluster of houses on a hill beyond Dilworth. They marched carelessly, the officers with sheathed swords. At fifty paces from the first house they were surprised by a deadly fire from Maxwell's corps, which lay in ambush to cover the American retreat. The British officers sent for help, but were nearly routed before General Agnew could bring up a sufficient force to their relief.[1] The Americans then withdrew, and darkness ended the contest.

At midnight Washington from Chester seized the first moment of respite to report to congress his defeat, making no excuses, casting blame on no one, not even alluding to the disparity of forces, but closing with cheering words. His losses, in killed, wounded, and prisoners,[2] were about one thousand, less rather than more. Except the severely wounded, few prisoners were taken. A howitzer and ten cannon, among them two Hessian field-pieces captured at Trenton, were left on the field. Several of the French officers behaved with great gallantry: Mauduit Duplessis; Lewis de Fleury, whose horse was shot under him and whose merit congress recognised by vote; Lafayette, of whom

[1] Ewald's Beyspiele Grosser Helden, ii. 337–340. Ewald was an eye-witness.

[2] Münchhausen reports: "We took few prisoners in the battle."

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Washington said to the surgeon: "Take care of him as though he were my son." Pulaski the Pole, who on that day showed the daring of adventure rather than the qualities of a commander, was created a brigadier of cavalry.

The loss of the British army in killed and wounded was at least five hundred and seventy-nine, of whom fifty-eight were officers. Of the Hessian officers, Ewald and Wreden received from the elector a military order. Howe showed his usual courage, pressing fearlessly through fire of musketry and cannon. His plan was with his right to employ Washington's left wing, while he should in person turn the American right wing, hurl it down upon the Brandywine, and crush the whole army between his own two divisions. In this he failed. He won the field of battle; but nightfall, the want of cavalry, and the extreme fatigue of his army forbade pursuit.[1]

When congress heard of the defeat at the Brandywine, it directed Putnam to send forward fifteen hundred continental troops with all possible expedition, and summoned continental troops and militia from Maryland and Virginia. It desired the militia of New Jersey to lend their aid, but they were kept at home by a triple raid of Sir Henry Clinton for cattle. The assembly of Pennsylvania

[1] Lafayette describes the failure to pursue that night as the greatest fault of the war. But Howe could not have pursued except at a great risk. The larger part of his army was worn out with fatigue; and had Knyphausen been sent in the night with the Hessians, Washington could have mustered trusty troops enough to have turned and attacked them. Lafayette's statement of the confusion of the retreat is but a reminiscence; the troops of Wayne, Greene, Armstrong, Maxcy, retreated without disorder, and Ewald's account proves that the retreat was well guarded. But compare Du Portail in Mahon's England, vii. App. xxvii.

did little, for it was rent by faction; and it chose this moment to supersede nearly all its delegates in congress by new appointments. The people along Howe's route adhered to the king or were passive. Negro slaves uttered prayers for his success, for the opinion among them was "general that if the British power should be victorious all the negro slaves would become free."

Washington, who had marched from Chester to Germantown, after having supplied his men with provisions and forty rounds of cartridge, recrossed the Schuylkill to confront once more the army of Howe, who had been detained near the Brandywine till he could send his wounded to Wilmington. The two chiefs, equally eager for battle, marched toward Goshen. On the sixteenth, Donop and his yagers, who pressed forward too rapidly, was encountered by Wayne, and narrowly escaped being cut off; but before the battle became general a furious rain set in, which continued all the next night; and the American army, from the poor quality of their accoutrements, had their cartridges drenched, so that Washington was obliged to retire to replenish his ammunition.

It was next the purpose of the British to turn Washington's right, so as to cut off his connections and shut him up between the rivers; but he took care to hold the roads to the south as well as to the north and west. Late on the eighteenth, Alexander Hamilton, who was sent to Philadelphia to secure military stores in public and in private warehouses, gave congress a false alarm; and its members, now few in number, rose from

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their beds and fled in the night to meet at Lancaster. But Howe moved always compactly and with caution, never sending a detached party beyond supporting distance.

When, on the nineteenth, Washington's army passed through the Schuylkill at Parker's ford, Wayne, who was left with a large body of troops to fall upon any detached party of Howe's army, or to destroy its baggage, wrote chidingly to Washington: "There never was, there never will be, a finer opportunity of giving the enemy a fatal blow; Howe knows nothing of my situation; I have taken every precaution to prevent any intelligence getting to him, at the same time keeping a watchful eye on his front, flanks, and rear." On the night following the twentieth, Wayne had called up his men to make a junction with Maxwell, when Major-General Grey of the British army, with three regiments, broke in upon them by surprise, and, using the bayonet only, killed, wounded, or took at least three hundred. Darkness and Wayne's presence of mind saved his cannon and the rest of his troops.

The loss was heavy to bear, and opened the way to Philadelphia. John Adams blamed Washington without stint for having crossed to the eastern side of the Schuylkill: "It is a very injudicious manœuvre. If he had sent one brigade of his regular troops to have headed the militia, he might have cut to pieces Howe's army in attempting to cross any of the fords. Howe will not attempt it. He will wait for his fleet in Delaware river. O Heaven, grant us one great soul! One

leading mind would extricate the best cause from that ruin which seems to await it."

While John Adams was writing, Howe moved down the valley, and encamped along the Schuylkill from Valley Forge to French creek. There were many fords on the rapid river, which in those days flowed at its will. On the twenty-second a small party of Howe's army forced the passage at Gordon's ford. The following night and morning the main body of the British army crossed at Fatland ford near Valley Forge, and encamped with its left to the Schuylkill. Congress disguised its impotence by voting Washington power to change officers under brigadiers, and by inviting him to support his army upon the country around him. He was too weak to risk a battle; nor could he by swift marches hang on his enemy's rear, for more than a thousand of his men were barefoot. Rejoined by Wayne, and strengthened by a thousand Marylanders under Smallwood, he sent a peremptory order to Putnam, who was wildly planning attacks on Staten Island, Paulus-hook, New York, and Long Island, to forward a detachment of twenty-five hundred men "with the least possible delay," and to draw his remaining forces together, so that with aid from the militia of New York and Connecticut "the passes in the Highlands might be perfectly secure." Knowing the very great relative superiority of the northern army in numbers, he requested Gates to return the corps of Morgan, being resolved, if he could but be properly seconded, to force the army of Howe to retreat or capitulate before winter.

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On the twenty-fifth, that army encamped at Germantown; and the next morning, Cornwallis, with the grenadiers, took possession of Philadelphia.

The course of the campaign decided the result at the north. Howe was to have taken Philadelphia in time to aid Burgoyne; to oppose Burgoyne, Washington bared himself of his best troops, and with an inferior force detained Howe thirty days, on a march of fifty-four miles, till it was too late for him to fulfil his instructions.

CHAPTER XXIV.

THE CAPITULATION OF BURGOYNE.

August 19 — October 20, 1777.

On the nineteenth of August Gates assumed the command of the northern army, which lay nine miles above Albany, near the mouths of the Mohawk. Repelling groundless complaints of ill treatment of those captured at Bennington, he taunted Burgoyne in rhetorical and exaggerated phrases with the murders and scalpings by the Indians in his employ. On the return of the battalions with Arnold and the arrival of the corps of Morgan, his continental troops, apart from continual accessions of militia, outnumbered the British and German regulars whom he was to meet. Artillery and small arms were received from France by an arrival at Portsmouth, New Hampshire; and New York freely brought out its resources. Aug.

The war of America was a war of ideas more than of material power. On the ninth of September, Jay, the first chief justice of the new commonwealth of New York, opened its supreme court Sept.

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in Kingston, and charged the grand jury in these words: "Free, mild, and equal government begins to rise. Divine Providence has made the tyranny of princes instrumental in breaking the chains of their subjects. Whoever compares our present with our former constitution will admit that all the calamities incident to this war will be amply compensated by the many blessings flowing from this glorious revolution, which in its rise and progress is distinguished by so many marks of the divine favor and interposition that no doubt can remain of its being finally accomplished. Thirteen colonies immediately become one people, and unanimously determine to be free. The people of this state have chosen their constitution under the guidance of reason and experience. The highest respect has been paid to those great and equal rights of human nature which should forever remain inviolate in every society. You will know no power but such as you create, no laws but such as acquire all their obligation from your consent. The rights of conscience and private judgment are by nature subject to no control but that of the Deity, and in that free situation they are now left. Happy would it be for all mankind, if the opinion prevailed that the gospel of Christ would not fall, though unsupported by the arm of flesh."

While Jay affirmed these principles of public justice and wisdom, Gates, after twenty days of inactivity, moved his army up the Hudson to Stillwater. On the twelfth they advanced and encamped on a spur of hills jutting out nearly to the Hudson, known as Behmus's heights. They counted nine

thousand effectives, most of them husbandmen and freeholders, or the sons of freeholders, well armed, except that but three soldiers in ten had bayonets, conscious of superior strength, eager for action. They kindled with anger and scorn at the horrid barbarities threatened by Burgoyne; above all, they were enthusiasts for the freedom of mankind and the independence of their country, now to be secured by their deeds. As they looked one into the countenance of another, they saw the common determination to win the victory. Gates had no fitness for command, and wanted personal courage; the removal of Schuyler was passionately resented by a few New Yorkers; and Arnold, who assumed the part of Schuyler's friend, was quarrelsome and insubordinate: but the patriotism of the army was so deep and universal, that it gave no heed to doubts or altercations.

After the toils of five weeks, a hundred and eighty boats were hauled by relays of horses over the two portages between Lake George and the river at Saratoga, and laden with one month's provisions for the army of Burgoyne. And now he was confronted by the question, what he should do. He had been greatly weakened, and Howe refused him aid; but he remembered that Germain had censured Carleton because he would "hazard nothing with the troops;" so, consulting no one of his officers, reading over his instructions a hundred times, and reserving the excuse for failure that his orders were peremptory, he called in all his men, gave up his connections, and with less than six thousand rank and file thought to force his

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way to Albany. On the thirteenth of September his army with its splendid train of artillery crossed the Hudson at Schuylerville by a bridge of boats.

At once Lincoln, from Manchester, carrying out a plan concerted with Gates, sent five hundred light troops without artillery, under Colonel John Brown of Pittsfield, Massachusetts, to distress the British in their rear. In the morning twilight of the eighteenth Brown surprised the outposts of Ticonderoga, including Mount Defiance; and with the loss of not more than nine killed and wounded, he set free one hundred American prisoners, captured four companies of regulars and others who guarded the newly made portage between Lake Champlain and Lake George, in all two hundred and ninety-three men with arms equal to their number and five cannon, and destroyed one hundred and fifty boats below the falls of Lake George and fifty above them, including gunboats and an armed sloop. Not being strong enough to carry Fort Independence, or Ticonderoga, or Diamond island in Lake George, the party with their trophies rejoined Lincoln.

Meantime, the army of Burgoyne, stopping to rebuild bridges and repair roads, advanced scarcely four miles in as many days. By this time the well-chosen camp of the Americans had been made very strong; their right touched the Hudson and could not be assailed; their left was a high ridge of hills; their lines were protected by a breastwork. Burgoyne must dislodge them if he would get forward. His army moved on the nineteenth, as on former days, in three columns: the artillery,

protected by Riedesel and Brunswick troops, took the road through the meadows near the river; the general in person led the centre across a deep ravine to a field on Freeman's farm; while Fraser, with the right, made a circuit upon the ridge to occupy heights from which the left of the Americans could be assailed. Indians, Canadians, and tories hovered on the front and flanks of the several columns. CHAP. XXIV. 1777. Sept.

In concurrence with the advice of Arnold, Gates ordered out Morgan's riflemen and the light infantry. They put a picket to flight at a quarter past one, but retired before the division of Burgoyne. Leading his force unobserved through the woods, and securing his own right by thickets and ravines, Morgan next fell unexpectedly upon the left of the British central division. To support him, Gates, at two o'clock, sent out three New Hampshire battalions, of which that of Scammel met the enemy in front, that of Cilley took them in flank. In a warm engagement, Morgan had his horse shot under him, and with his riflemen captured a cannon, but could not carry it off. From half-past two there was a lull of a half-hour, during which Phillips brought more artillery against the Americans, and Gates ordered out two regiments of Connecticut militia under Cook. At three the battle became general, and it raged till after sundown. Fraser sent to the aid of Burgoyne such detachments as he could spare without endangering his own position, which was the object of the day. At four Gates ordered out the New York regiment of Cortlandt, followed in a half-hour by that of Henry Livingston. The

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battle was marked by the obstinate courage of the Americans, but by no manœuvre; man fought against man, regiment against regiment. A party would drive the British from the cannon which had been taken, and they would rally and recover it by their superiority with the bayonet; but when they advanced it was only to fall back before the deadly fire from the wood. The Americans used no artillery; the British employed several field-pieces and with effect; but Jones, who commanded the principal battery, was killed, and some of his officers, and thirty-six out of forty-eight matrosses were killed or wounded. At five, all too late in the day, Brigadier Learned was ordered with all his brigade and a Massachusetts regiment to the enemy's rear. Before the sun went down Burgoyne was in danger of a rout; the troops about him wavered, when Riedesel, with more than a single regiment and two cannon, struggling through the thickets, across a ravine, climbed the hill, and charged the Americans on their right flank. Evening was at hand; those of the Americans who had been engaged for more than three hours had nearly exhausted their ammunition, and they quietly withdrew within their lines, taking with them their wounded and a hundred captives. On the British side three major-generals came on the field; on the American side not one,[1] nor a brigadier till near its close. The glory of the day was due to

[1] Arnold was not on the field. So witnesses Wilkinson, whom Marshall knew personally and believed. So said the informers of Gordon: History, ii. 551. Letters of Arnold and Gates admit of no other interpretation: "General Arnold not being present in the battle of the 19th of September." R. R. Livingston to Washington, 14 January, 1778.

the several regiments, which fought in unison, and needed only an able general to have utterly routed Burgoyne's division. Of the Americans, praise justly fell upon Morgan of Virginia and Scammel of New Hampshire; none offered their lives more freely than the continental regiment of Cilley and the Connecticut militia of Cook. The American loss, including the wounded and missing, proved less than three hundred and twenty; among the dead was the brave and meritorious Lieutenant-Colonel Andrew Colburn of New Hampshire. This accidental battle crippled the British force irretrievably. Their loss exceeded six hundred. Of the sixty-second regiment, which left Canada five hundred strong, there remained less than sixty men and four or five officers. "Tell my uncle I died like a soldier," were the last words of Hervey, one of its lieutenants, a boy of sixteen, who was mortally wounded. A shot from a rifle, meant for Burgoyne, struck an officer at his side.

The separated divisions of the British army passed the night in bivouac under arms; that of Burgoyne on the field of battle. Morning revealed to them their desperate condition; to all former difficulties was added the encumbrance of their wounded. Their dead were buried promiscuously, except that officers were thrown into holes by themselves, in one pit three of the twentieth regiment, of whom the oldest was not more than seventeen.

An attack upon the remains of Burgoyne's division while it was still disconnected and without intrenchments was urged by Arnold with all the chances of a victory; but such a movement did not

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suit the timid nature of Gates, who waited for ammunition and more troops, till his effective men outnumbered his enemies by three or even four to one. A quarrel ensued; and Arnold demanded and received a passport for Philadelphia. Repenting of his rashness, the restless and insubordinate man lingered in the camp, but could no longer obtain access to Gates, nor a command.

During the twentieth the British general encamped his army on the heights near Freeman's house, so near the American lines that he could not retreat or make a movement unobserved. With no possibility of escape but by a speedy retreat, on the twenty-first he received from Sir Henry Clinton a promise of a diversion on Hudson river; and catching at the phantom of hope, he answered that he could maintain his position until the twelfth of October.

Putnam, who commanded on the Hudson, was unfit to be a general officer. Spies of the British watched his condition, and he had not sagacity to discover theirs. Connecticut had been less drawn upon for the northern army, that its militia might assist to defend the Highlands; he had neglected proper measures for securing their aid, and they were sent in great numbers to Spencer at Providence with the vain design of attacking the British troops at Newport. Meantime, Putnam, in his easy manner, suffered a large part of the New York militia to go home; so that he now had but about two thousand men. Sir Henry Clinton, with four thousand troops, feigned an attack upon Fishkill by landing troops at Verplanck's point. Putnam was

Oct.

completely duped; and doing just as the British wished, he retired out of the way to the hills in the rear of Peekskill. The sagacity of George Clinton, the governor of New York, knew the point of danger. With such force as he could collect he hastened to Fort Clinton, while his brother James took command of Fort Montgomery. Putnam should have reënforced their garrisons; instead of it, he ordered troops away from them, and left the passes unguarded. At daybreak on the sixth of October, the British and Hessians disembarked at Stony Point; Vaughan with more than one thousand men advanced towards Fort Clinton, while a corps of about a thousand occupied the pass of Dunderberg, and by a difficult circuitous march of seven miles, at five o'clock came in the rear of Fort Montgomery. Vaughan's troops were then ordered to storm Fort Clinton with the bayonet. A most gallant resistance was made by the governor, but at the close of twilight the British, by the superiority of numbers, forced the works. In like manner Fort Montgomery was carried; but the two commanders and almost all of both garrisons escaped into the forest. A heavy iron chain with a boom had been stretched across the river from Fort Montgomery to Anthony's nose. This now fell to the British. Overruling the direction of Governor Clinton, Putnam had ordered down two continental frigates for the defence of the chain; but as they were badly manned, one of them could not be got off in time; the other grounded opposite West Point; and both were set on fire in the night. Fort Constitution, on the island opposite West Point, was abandoned,

CHAP. XXIV. 1777. Oct. so that the river was open to Albany. When Putnam received large reënforcements from Connecticut, he did nothing with them. On the seventh he wrote to Gates: "I cannot prevent the enemy's advancing; prepare for the worst;" and on the eighth: "The enemy can take a fair wind, and go to Albany or Half Moon with great expedition and without any opposition." But Sir Henry Clinton, who ought a month sooner to have gone to Albany instead of hunting cattle in New Jersey, garrisoned Fort Montgomery, and returned to New York, leaving Vaughan with a large marauding expedition to ascend the Hudson. Vaughan did no more than plunder and burn the town of Kingston on the fifteenth, and pillage and set fire to the mansions of patriots along the river.

Sept. After the battle of the nineteenth of September the condition of Burgoyne rapidly grew more perplexing. The Americans broke down the bridges which he had built in his rear, and so swarmed in the woods that he could gain no just idea of their situation. His foraging parties and advanced posts were harassed; horses grew thin and weak; the hospital was cumbered with at least eight hundred sick and wounded men. One third part of the soldier's ration was retrenched. While the British army declined in number, Gates was constantly reenforced. On the twenty-second Lincoln arrived, and took command of the right wing; he was followed by two thousand militia. The Indians melted away from Burgoyne, and by the zeal of Schuyler, contrary to the policy of Gates, a small band, chiefly of Oneidas, joined the American camp. In

the evening of the fourth of October Burgoyne called Phillips, Riedesel, and Fraser to council, and proposed to them by a roundabout march to turn the left of the Americans. To do this, it was answered, the British must leave their boats and provisions for three days at the mercy of the Americans. Riedesel advised a swift retreat to Fort Edward; but Burgoyne still continued to wait for a coöperating army from below. On the seventh he agreed to make a grand reconnoissance, and if the Americans could not be attacked, he would think of a retreat. At eleven o'clock on the morning of that day, seven hundred men of Fraser's command, three hundred of Breymann's, and five hundred of Riedesel's were picked out for the service. The late hour was chosen, that in case of disaster night might intervene for their relief. They were led by Burgoyne, who took with him Phillips, Riedesel, and Fraser. The fate of the army hung on the event, and not many more than fifteen hundred men could be spared without exposing the camp; but never was a body of that number so commanded, or composed of more thoroughly trained soldiers. They entered a field about half a mile from the Americans, where they formed a line, and sat down in double ranks, offering battle. Their artillery, consisting of eight brass pieces and two howitzers, was well posted; their front was open; the grenadiers under Ackland, stationed in the forest, protected the left; Fraser, with the light infantry and an English regiment, formed the right, which was skirted by a wooded hill; the Brunswickers held the centre. While Fraser sent

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foragers into a wheat-field, Canadians, provincials, and Indians were to get upon the American rear.

From his camp, which contained ten or eleven thousand well-armed soldiers eager for battle, Gates resolved to send out a force sufficient to overwhelm his adversaries. By the advice of Morgan, a simultaneous attack was ordered to be made on both flanks. Just before three o'clock the column of the American right, composed of Poor's brigade, followed by the New York militia under Ten Broeck, unmoved by the well-directed and well-served grape-shot from two twelve-pounders and four sixes, marched on to engage Ackland's grenadiers; while the men of Morgan were seen making a circuit, to reach the flank and rear of the British right, upon which the American light infantry under Dearborn descended impetuously from superior ground. In danger of being surrounded, Burgoyne ordered Fraser with the light infantry and part of the twenty-fourth regiment to form a second line in the rear, so as to secure the retreat of the army. While executing this order, Fraser received a ball from a sharp-shooter, and, fatally wounded, was led back to the camp. Just then, within twenty minutes from the beginning of the action, the British grenadiers, suffering from the sharp fire of musketry in front and flank, wavered and fled, leaving Major Ackland, their commander, severely wounded. These movements exposed the Brunswickers on both flanks, and one regiment broke, turned, and fled. It rallied, but only to retreat in less disorder, driven by the Americans. Sir Francis Clarke, Burgoyne's first aid, sent to the rescue of the artillery, was mortally

wounded before he could deliver his message; and the Americans took all the eight pieces. In the face of the hot pursuit, no second line could be formed. Burgoyne exposed himself fearlessly; a shot passed through his hat, and another tore his waistcoat; but he was compelled to give the word of command for all to retreat to the camp of Fraser, which lay to the right of head-quarters. Burgoyne as he entered showed alarm by crying out: "You must defend the post till the very last man!" The Americans pursued with fury, and, unwisely directed by Arnold, who had ridden upon the field as an unattended volunteer, without orders, without any command, without a staff, and beside himself, yet carrying some authority as the highest officer present in the action, they made an onset on the strongest part of the British line, and despite an abatis and other obstructions, despite musketry-fire and grape-shot, continued it for more than an hour, though in vain. Meantime the brigade of Learned made a circuit and assaulted the quarters of the regiment of Breymann, which flanked the extreme right of the British camp, and was connected with Fraser's quarters by two stockade redoubts, defended by Canadian companies. These intermediate redoubts were stormed by a Massachusetts regiment headed by John Brooks, afterwards governor of that state, and were carried with little loss. Arnold, who had joined a group in this last assault, lost his horse and was himself badly wounded within the works. The regiment of Breymann was now exposed in front and rear. Its colonel, fighting gallantly, was mortally wounded;

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some of his troops fled; and the rest, about two hundred in number, surrendered. Colonel Speth, who led up a small body of Germans to his support, was taken prisoner. The position of Breymann was the key to Burgoyne's camp; but the directions for its recovery could not be executed. Night set in, and darkness ended the battle.

During all the fight, neither Gates nor Lincoln appeared on the field. In his report of the action, Gates named Arnold with Morgan and Dearborn; and congress paid a tribute to Arnold's courage by giving him the rank which he had claimed. The action was the battle of the husbandmen; and on this decisive day, men of the valley of Virginia, of New York, and of New England, fought together with one spirit for a common cause. At ten o'clock in the night, Burgoyne gave orders to retreat; but as he took with him his wounded, artillery, and baggage, at daybreak he had only transferred his camp to the heights above the hospital. Light dawned, to show to his army the hopelessness of their position. They were greatly outnumbered, their cattle starving, their hospitals cumbered with sick, wounded, and dying; and their general, whose courage in battle could not be exceeded, wanted strength of judgment.

All persons sorrowed over Fraser, so much love had he inspired. He questioned the surgeon eagerly as to his wound, and when he found that he must go from wife and children, that fame and promotion and life were gliding from before his eyes, he cried out in his agony: "Damned ambition!" At sunset of the eighth, as his body, attended by the officers

of his family, was borne by soldiers of his corps to the great redoubt above the Hudson, where he had asked to be buried, the three major-generals, Burgoyne, Phillips, and Riedesel, and none beside, joined the train; and amidst the ceaseless booming of the American artillery, the order for the burial of the dead was strictly observed in the twilight over his grave. Never more shall he chase the red deer through the heather of Strath Errick, or guide the skiff across the fathomless lake of central Scotland, or muse over the ruin of the Stuarts on the moor of Drum-mossie, or dream of glory beside the crystal waters of the Ness. Death in itself is not terrible; but he came to America for selfish advancement, and though bravely true as a soldier, he died unconsoled.

In the following night, Burgoyne, abandoning the wounded and sick in his hospital, continued his retreat; but as he was still clogged with his artillery and baggage, the night being dark, the narrow road worsened by rain, they made halt two miles short of Saratoga. In the night before the tenth, the British army, finding the passage of the Hudson too strongly guarded by the Americans, forded the Fishkill, and in a very bad position at Saratoga made their last encampment. On the tenth, Burgoyne sent out a party to reconnoitre the road on the west of the Hudson; but Stark, who after the battle of Bennington had been received at home as a conqueror, had returned with more than two thousand men of New Hampshire, and held the river at Fort Edward.

At daybreak of the eleventh, an American brig-

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ade, favored by a thick fog, broke up the British posts at the mouth of the Fishkill, and captured all their boats and all their provisions, except a short allowance for five days. On the twelfth the British army was completely invested, nor was there a spot in their camp which was not exposed to cannon or rifle shot. On the thirteenth, Burgoyne, for the first time, called the commanders of corps to council; and they were unanimous for treating on honorable terms. Had Gates been firm, they would have surrendered as prisoners of war. Burgoyne's counter proposals stipulated for a passage for the army from the port of Boston to Great Britain, upon condition of not serving again in North America during the war. Frightened by the expedition of Vaughan, Gates consented to the modification, and on the seventeenth the convention was signed. A body of Americans marched to the tune of Yankee Doodle into the lines of the British, while they marched out and laid down their arms with none of the American soldiery to witness the spectacle. Bread was then served to them, for they had none left, nor flour.

Their number, including officers, was five thousand seven hundred and ninety-one; there were besides eighteen hundred and fifty-six prisoners of war, including the sick and wounded, abandoned to the Americans. Of deserters there were three hundred; so that, including the killed, prisoners, and disabled at Hubbardton, Fort Ann, Bennington, Orisca, the outposts of Ticonderoga, and round Saratoga, the total loss of the British in this northern campaign was not far from ten thousand, count-

ing officers as well as rank and file. The Americans acquired forty-two pieces of the best brass ordnance then known, beside large munitions of war, and more than forty-six hundred muskets.

The cause of the great result was the courage and the determined love of freedom of the American people. So many of the rank and file were freeholders or freeholders' sons, that they gave a character to the whole army. The negroes, of whom there were many in every regiment, served in the same companies with them, shared their mess, and partook of their spirit. In the want of a commander of superior ability, next to the generous care of Washington in detaching for the support of that quarter troops destined against Howe, victory was due to the enthusiasm of the soldiers. When the generals who should have directed them remained in camp, their common zeal created a harmonious correspondence of movement, and baffled the high officers and veterans opposed to them.

The public interests imperatively demanded that Gates should send the best part of his continental troops as swiftly as possible to support the contest against Howe. That he understood this to be his duty appears from the letter to Washington in which he had excused his refusal to return the corps of Morgan by holding out the fairest prospect of being able to send larger reënforcements. His conduct now will test his character as a general and a patriot.

CHAPTER XXV.

THE CONTEST FOR THE DELAWARE RIVER.

SEPTEMBER — NOVEMBER, 1777.

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SOME of the Pennsylvanians would have had Washington shut himself up in Philadelphia. Except that it was the city in which congress had declared American independence, its possession was of no importance, for above it the rivers were not navigable, and it did not intercept the communication between the north and the south. The approach to it by water was still obstructed by a double set of machines called chevaux-de-frise, extending across the channel of the Delaware: one, seven miles from Philadelphia, just below the mouth of the Schuylkill, and protected by Fort Mercer at Red-bank on the New Jersey shore and Fort Mifflin on Mud island; the other, five miles still nearer the bay, and overlooked by works at Billingsport.

At Philadelphia the river was commanded by an American flotilla composed of one frigate, smaller vessels, galleys, floating batteries, and other craft. On

the twenty-seventh of September they approached the city to annoy the working parties; on the ebb of the tide the frigate grounded, and its commander, fearing a fire from land, hastily surrendered. This disaster enabled the British to open communication with the Jersey shore. On the second of October a detachment was put across the Delaware from Chester by the boats of one of their frigates; the garrison at Billingsport, spiking their guns, fled, leaving the lower line of obstructions to be removed without molestation. Faint-heartedness spread along the river; the militia who were to have defended Red-bank disappeared, those of New Jersey held back; from the water-craft and even from the forts there were frequent desertions both of officers and privates. Washington must act, or despondency will prevail.

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The village of Germantown formed for two miles one continuous street. At its centre it was crossed at right angles by Howe's encampment, which extended on the right to a wood, and was guarded on its extreme left by Hessian yagers at the Schuylkill. The first battalion of light infantry and the Queen's American rangers were advanced in front of the right wing; the second battalion supported the furthest pickets of the left at Mount Airy, about two miles from the camp; and at the head of the village, in an open field near a large stone house known as that of Chew, the fortieth regiment under the veteran Musgrave pitched its tents. Information of the intended attack reached Howe, but he received it with incredulity.

About noon on the third, Washington, at Matu-

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chen Hills, announced to his army his purpose to move upon Germantown. He spoke to them of the successes of the northern army, and explained "that Howe, who lay at a distance of several miles from Cornwallis, had further weakened himself by sending two battalions to Billingsport. If they would be brave and patient, he might on the next day lead them to victory." Thus he inspired them with his own hopeful courage. A defeat of the insulated British army must have been its ruin. His plan was to direct the chief attack upon its right, to which the approach was easy; and for that purpose, to Greene, in whom of all his generals he most confided, he gave the command of his left wing, composed of the divisions of Greene and of Stephen and flanked by Macdougall's brigade. These formed about two thirds of all his effective force.[1] The divisions of Sullivan and Wayne, flanked by Conway's brigade and followed by Washington, with the brigades of Nash and Maxwell, under Lord Stirling, as the reserve, assumed the more difficult task of engaging the British left. To distract attention, the Maryland and New Jersey militia were to make a circuit and come upon the rear of the British right, while on the opposite side Armstrong, with the Pennsylvania militia, was to deal heavy blows on the Hessian yagers.

The different columns received orders to conduct their march of about fourteen miles so as to arrive near the enemy in time to rest, and to

[1] "Two thirds of the army at least." Sullivan to Weare. "Two thirds." Wayne to his wife.

begin the attack on all quarters at daybreak. Accordingly, the right wing, after marching all night, halted two miles in front of the British outpost, and took refreshment. Then, screened by a fog and marching in silence, the advance party surprised the British picket. The battalion of light infantry offered a gallant resistance; but when Wayne's men, whom Sullivan's division closely followed, rushed on with the terrible cry: "Have at the blood-hounds! Revenge! revenge!" the bugle sounded a retreat. The cannon woke Cornwallis in Philadelphia, who instantly ordered his British grenadiers and Hessians to the scene of action; Howe, in like manner startled from his bed, rode up just in time to see the battalion running away. "For shame, light infantry!" he cried in anger; "I never saw you retreat before. Form! form! it is only a scouting party." But the cutting grape-shot from three of the American cannon rattling about him showed the seriousness of the attack, and he rode off at full speed to prepare his camp for battle; while Musgrave, detaching a part of his regiment to support the fugitives, threw himself with six companies into Chew's house, and barricaded its lower windows and doors.

Greene should by this time have engaged the British right; but nothing was heard from any part of his wing. In consequence, as the divisions of Sullivan and Wayne approached Chew's house together, Sullivan directed Wayne to pass to the left of it, while he advanced on its right. In this manner they were separated. The advance was slow, for it was made, not in column, but in line,

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while the troops kept up an incessant fire at every house and hedge where the pursuit was checked. Washington, with Maxwell's part of the reserve, summoned Musgrave to surrender; but the officer who carried the white flag was fired upon and killed; the brave Chevalier Duplessis Mauduit, who, with John Laurens of South Carolina, forced and mounted the window on the ground-floor to set the house on fire, was not supported by men with combustibles, and, incredible as it may seem, the two gallant and adventurous youths retired slowly and safely under a fire from both stories of the house. The cannon was too light to breach the walls. Driven forward by his own anxiety[1] and the zeal of the young officers of his staff,[2] Washington left a single regiment to watch the house,[3] and with the rest of the reserve advanced to the front of the battle and remained there to the last.[4]

And where was Greene? From some cause[5] which he never explained, he reached the British outpost three quarters of an hour later than the troops with Washington; then, at a very great distance from the force which he was to have attacked, he formed his whole wing, and thus in line of battle attempted to advance two miles or more through marshes, thickets, and strong and

1 Sullivan to Weare.
2 Lee's Memoirs.
3 Marshall, i. 68.
4 Sullivan to Weare.
5 "From some mismanagement." Heth to Lamb, 12 October, 1777. "On account of the darkness of the night and the badness of some roads." Walter Stewart to Gates, 12 October, 1777. "Mistook their way." General Lacy. "Owing to the great distance." Macdougall, 5 October, 1777. "Delayed much by General Greene's being obliged to countermarch one of his divisions." Sullivan to Meshech Weare, 25 October, 1777. Greene's letter to Marchant gives no explanation.

numerous post-and-rail fences. Irretrievable disorder was the consequence; the divisions became mixed, and the line was broken. Macdougall[1] never got into the fight; and Greene was left with only the brigades of Scott and Muhlenberg. These entered the village and attacked the British right, which had had ample time for preparation. They were outflanked, and after about fifteen minutes[2] of heavy firing were driven back; and the regiment which had penetrated furthest was captured. Stephen with one of his brigades came up with the left of Wayne's division; Woodford, who commanded the other and was on the extreme right of the wing under Greene, strayed to Chew's house, which he found watched by a single regiment, halted there with his whole brigade, and took no part in the battle[3] except to order his light field-pieces to play upon its walls. This new and unexpected cannonade was exactly in the rear of Wayne's division; they imagined it to be the fire of the British right; and throwing off all control, they retreated in disorder. Armstrong with his militia on the extreme right considered it his duty "rather to divert the foreigners[4] than to come in contact with them;"[5] so he did no more than "cannonade them from the heights on the Wissahiccon."[6] Sullivan's men, with the eagerness of young troops and against the order of Washington, had expended their ammunition[7] often without

1 Walter Stewart to Gates, 12 October, 1777.

2 Sullivan to Weare.

3 Marshall, an eye-witness. Life of Washington, i. 167.

4 Armstrong to Gates, 9 October, 1777.

5 General Lacy's account.

6 Armstrong to Wharton, 5 October, 1777.

7 Idem.

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an object. The battalions from Philadelphia, advancing on a run, were close at hand. In the fog, parties of Americans had repeatedly mistaken each other for British. At about half-past eight, Washington, who, "in his anxiety exposed himself to the hottest fire," seeing that the day was lost, gave the word to retreat, and sent it to every division. Care was taken for the removal of every piece of artillery. "British officers of the first rank said that no retreat was ever conducted in better order,"[2] and they and the German officers alike judged the attack to have been well planned.

Greene on that day "fell under the frown" of the commander-in-chief. Had the forces intrusted to him and the militia with Armstrong acted as efficiently as the troops with Washington, the day might have been fatal to Howe's army. The renewal of an attack so soon after the defeat at the Brandywine, and its partial success, inspirited congress and the army. In Europe, it convinced the cabinet of the king of France that the independence of America was assured.

To stop the sale of provisions to the British army, congress subjected every person, within thirty miles of a British post, who should give them information or furnish them supplies, to the penalty of death on conviction by court-martial; and a party of militia under Potter watched the west of the Schuylkill so carefully that the enemy suffered from a scarcity of food and forage. Could Washington obtain a force sufficient to blockade Philadelphia by land and maintain the posts on the

[1] Burke's Correspondence, ii. 204.

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Delaware, there was hope of driving Howe to retreat. But Pennsylvania would not rise; the contest was on her soil, and there were in camp only twelve hundred of her militia.

Between the fourth and the eighth, the fleet of Lord Howe anchored between Newcastle and Reedy island. It was the middle of October before they could open a narrow and intricate channel through the lower obstruction in the river. The upper works were untouched; and the forts on Red-bank and on Mud island were garrisoned by continental troops, the former under the command of Colonel Christopher Greene of Rhode Island, the latter under that of Lieutenant-Colonel Samuel Smith of Maryland. Meantime, Sir William Howe, from the necessity of concentrating his force, ordered Clinton to abandon Fort Clinton on the Hudson, and to send him a reënforcement of "full six thousand men."[1] He removed his army from Germantown to Philadelphia, and protected it by a line of fortifications from the Schuylkill to the Delaware.

On the morning of the eighteenth, a messenger arrived in camp bringing letters from Putnam and Clinton prematurely but positively announcing the surrender of the army of Burgoyne. Washington received them with joy unspeakable and devout gratitude "for this signal stroke of Providence." "All will be well," he said, "in His own good time." The news circulated among the Americans in every direction, and quickly penetrated the camp

1 "Full six thousand men." Clinton to General Harvey, 13 October, 1777; in Albemarle's Rockingham, ii. 337.

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of Sir William Howe. "The difficulty of access to Fort island had rendered its reduction much more tedious than was conceived;" under a feeling of exasperated impatience, he gave verbal orders to Colonel Donop, who had expressed a wish for a separate command, to carry Red-bank by assault if it could be easily done, and make short work of the affair. On the twenty-second, Donop with five regiments of Hessian grenadiers and infantry, four companies of yagers, a few mounted yagers, all the artillery of the five battalions, and two English howitzers, arrived at the fort. Making at once a reconnoissance with his artillery officers, he found that on three sides it could be approached through thick woods within four hundred yards. It was a pentagon, with a high earthy rampart, protected in front by an abatis. The battery of eight three-pounders and two howitzers was brought up on the right wing, and directed on the embrasures. At the front of each of the four battalions selected for the assault stood a captain with the carpenters and one hundred men bearing the fascines which had been hastily bound together. Mad after glory, Donop, at half-past four, summoned the garrison in arrogant language. A defiance being returned, he addressed a few words to his troops. Each colonel placed himself at the head of his division, and at a quarter before five, under the protection of a brisk cannonade from all their artillery, they ran forward and carried the abatis. On clearing it they were embarrassed by pitfalls, and were exposed to a terrible fire of small arms and of grape-shot from a concealed gallery, while two galleys,

which the bushes had hidden, raked their flanks with chain-shot. Yet the brave Hessians formed on the glacis, filled the ditch, and pressed on towards the rampart. But Donop, the officers of his staff, and more than half the other officers were killed or wounded; the men who climbed the parapet were beaten down with lances and bayonets; and as twilight was coming on, the assailants fell back under the protection of their reserve. Many of the wounded crawled away into the forest, but Donop and a few others were left behind. The party marched back during the night unpursued.

As the British ships of war which had attempted to take part in the attack fell down the river, the "Augusta," of sixty-four guns, and the "Merlin" frigate grounded. The next day the "Augusta" was set on fire by red-hot shot from the American galleys and floating batteries, and blown up before all her crew could escape; the "Merlin" was abandoned and set on fire. From the wrecks the Americans brought off two twenty-four pounders. "Thank God," reasoned John Adams, "the glory is not immediately due to the commander-in-chief, or idolatry and adulation would have been so excessive as to endanger our liberties."

The Hessians, by their own account, lost in the assault four hundred and two in killed and wounded, of whom twenty-six were officers. Two colonels gave up their lives. Donop, whose thigh was shattered, lingered for three days; and to Fleury, who watched over his death-bed with tenderness, he said: "It is finishing a noble career early; I die the victim of my ambition, and of the avarice of

CHAP. XXV. 1777. Oct. my sovereign." This was the moment chosen by Howe to complain of Lord George Germain, and to ask the king's leave to resign his command; and he added that there was no prospect of terminating the war without another campaign, nor then, unless large reënforcements, such as he knew could not be furnished, should be sent from Europe.

On Burgoyne's surrender, it became the paramount duty of Gates to detach reënforcements to Washington; but weeks passed and even the corps of Morgan did not arrive. The commander-in-chief, therefore, near the end of October, despatched his Nov. able aid, Alexander Hamilton, with authority to demand them. This was followed by the strangest incidents of the war. Putnam for a while disregarded the orders borne by Hamilton. Gates, in his elation, detained a very large part of his army in idleness at Albany, under the pretext of an expedition against Ticonderoga, which he did not mean to attack, and which the British of themselves abandoned; he neglected to announce his victory to the commander-in-chief; and he sent directly to congress the tardy message: "With an army in health, vigor, and spirits, Major-General Gates now waits the commands of the honorable congress." Instead of chiding the insubordination, congress appointed him to regain the forts and passes on the Hudson river. Now Washington had himself recovered these forts and passes by pressing Howe so closely as to compel him to order their evacuation; yet congress forbade Washington to detach from the northern army more than

twenty-five hundred men, including the corps of Morgan, without first consulting General Gates and the governor of New York. It was even moved that he should not detach any troops except after consultation with Gates and Clinton; and Samuel Adams, John Adams, and Gerry of Massachusetts, and Marchant of Rhode Island voted for that restriction. Time was wasted by this interference on the part of congress. Besides; while the northern army had been borne onward to victory by the rising of the people, Washington encountered other difficulties from the disaffection of a great part of the inhabitants of Pennsylvania, the languor of others, and the internal feuds and distraction of the whole. So the opportunity of driving Howe from Philadelphia before winter was lost.

By the tenth of November the British had completed their batteries on the reedy morass of Province island, five hundred yards from the American fort on Mud island, and began an incessant fire from four batteries of heavy artillery. Smith gave the opinion that the garrison could not repel a storming party; but Major Fleury, the resolute French engineer, reported the place still defensible. On the eleventh, Smith, having received a slight hurt, passed immediately to Red-bank; the next in rank desired to be recalled; and early on the thirteenth the brave little garrison of two hundred and eighty-six fresh men and twenty artillerists was confided to Major Simeon Thayer of Rhode Island, who had distinguished himself in the expedition against Quebec, and who now volunteered

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to take the desperate command.[1] Supported by his superior ability and the skill and cool courage of Fleury, the garrison held out gallantly during an incessant bombardment and cannonade. On the fifteenth, the wind proving fair, the "Vigilant," carrying sixteen twenty-four pounders, and the hulk of a large Indiaman with three twenty-four pounders, aided by the tide, were warped through an inner channel which the obstructions in the river had deepened, and anchored so near[2] the American fort that they could send into it hand-grenades, and marksmen from the masts of the "Vigilant" could pick off men from its platform. Five large British ships of war, which drew near the chevaux-de-frise, kept off the American flotilla, and sometimes directed their fire at the fort on its unprotected side. The land batteries, now five in number, played from thirty pieces at short distances. The ramparts and block-houses on Mud island were honey-combed, their cannon nearly silenced. A storming party was got ready; but to avoid bloodshed, Sir William Howe, who on the fifteenth was present with his brother, gave orders to keep up the fire all night through. In the evening, Thayer sent all the garrison but forty men over to Red-bank, and after midnight followed with the rest. When, on the sixteenth, the British troops entered the fort, they found nearly every one of its cannon stained

[1] The authorities of weight are: Fleury's journal in Marshall, and in Sparks, v. 154, from the Washington papers; Varnum to Washington, 15 and 16 November, 1777, and Varnum to Wheeler, 2 August, 1786; and Colonel Israel Angell's letter of 17 February, 1778, in Cowell's Spirit of 1776 in Rhode Island, 296. The account in Marshall, i. 178, is very complete.

[2] Varnum: "one hundred yards;" Münchhausen: "two."

with blood. Never were orders to defend a place to the last extremity more faithfully executed. Thayer was reported to Washington as an officer of the highest merit; Fleury won promotion from congress for his disinterested gallantry.

Cornwallis was next sent by way of Chester to Billingsport, with a strong body of troops to clear the left bank of the Delaware. A division under Greene was promptly despatched across the river to give him battle. But Cornwallis was joined by five British battalions from New York, while the American reënforcements from the northern army were still delayed. It therefore became necessary to evacuate Red-bank. Cornwallis, having levelled its ramparts, returned to Philadelphia, and Greene rejoined Washington; but not till Lafayette, who attended the expedition as a volunteer, had secured the applause of congress by routing a party of Hessians. For all the seeming success, many officers in the British camp expressed the opinion that the states could not be subjugated, and should be suffered to go free.

CHAPTER XXVI.

THE CONFEDERATION.

November 15, 1777.

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While the winter-quarters of the British in Philadelphia were rendered secure by the possession of the river Delaware, the congress which was scoffed at in the British house of lords as a "vagrant" horde resumed at Yorktown the work of confederation. Of the committee who, in June, 1776, had been appointed to prepare the plan, Samuel Adams alone remained a member; and even he was absent when, on the fifteenth of November, 1777, "articles of confederation and perpetual union" were adopted, to be submitted for approbation to the several states.

The present is always the lineal descendant of the past. A new form of political life never appears but as a growth out of its antecedents, just as in nature there is no animal life without a seed or a spore. In civil affairs, as much as in husbandry, seed-time goes before the harvest, and the harvest may be seen in the seed, the seed in

the harvest. According to the American theory, the unity of the colonies had, before the declaration of independence, resided in the British king. The congress of the United States was the king's successor, and it inherited only such powers as the colonies themselves acknowledged to have belonged to the crown.

The vastness of America interfered with the instincts of local attachment. Affection could not twine itself round a continental domain of which the greatest part was a wilderness, associated with no recollections. The sentiment of unity existed only in the germ. Gadsden of South Carolina had advised all to be, not Carolinians or New Yorkers, but Americans; yet "my country," in the mouth of Washington, in the early part of 1776, meant Virginia only; and though with the declaration of independence he learned to embrace all the states in that name, the narrower usage was still kept up by Patrick Henry. The confederacy was formed under the influence of political ideas which had been developed by a contest of centuries for individual and local liberties against an irresponsible central authority. Now that power passed to the people, new institutions were required strong enough to protect the state, while they should leave untouched the liberties of the individual. But America, misled by what belonged to the past, took for her organizing principle the principle of resistance to power, which in all the thirteen colonies had been hardened into stubbornness by a succession of common jealousies and struggles.

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During the sixteen months that followed the introduction of the plan for confederation prepared by Dickinson, the spirit of separation, fostered by uncontrolled indulgence, by opposing interests, by fears on the part of the south of the more homogeneous and compact population of the northeast, by the dissimilar impulses under which the different sections of the country had been colonized, and by a dread of interference with the peculiar institutions of each colony, visibly increased in congress, and every change in his draught, which of itself proposed only a league of states, darkened more and more the prospect of that energetic authority which is the first guaranty of liberty.

The possessions of the British crown had extended from the Saint Mary's to the extreme north of the habitable continent, from the Atlantic to the Mississippi or even to the Pacific; the United States of America included within their jurisdiction so much of that territory as had belonged to any of the thirteen colonies; and if Canada would so choose, they were ready to annex Canada.

In the republics of Greece, citizenship had in theory been confined to a body of kindred families, which formed an hereditary caste, a multitudinous aristocracy. Such a system could have no permanent vitality; and the Greek republics, as the Italian republics in after-ages, died out for want of citizens. America adopted at once the greatest result of modern civilization, the principle of the all-embracing unity of society. As the American territory was that of the old thirteen colonies, so the free people residing upon it formed

the free people of the United States. Subject and citizen were correlative terms, and subjects of the monarchy became citizens of the republic. He that had owed primary allegiance to the king of England, now owed primary allegiance to united America; yet, as the republic was the sudden birth of a revolution, the moderation of congress did not name it treason for the former subjects of the king to adhere to his government; only, it was held, that whoever chose to remain on the soil, by residence accepted the protection of America, and in return owed it allegiance. This is the reason why, for twelve years, free inhabitants and citizens were in American state-papers convertible terms, sometimes used one for the other, and sometimes, for the sake of perspicuity, redundantly joined together.

The king of England, according to the rule of modern civilization, claimed as his subjects all persons born within his dominions: in like manner every one who first saw the light on the American soil was a natural-born citizen; but the power of naturalization, which, under the king, each colony had claimed to regulate by its own laws, remained under the confederacy with the separate states.

The king had extended protection to every one of his lieges in any one of the thirteen colonies; now that congress was the successor of the king in America, the right to equal protection was continued to every free inhabitant in whatever state he might sojourn or dwell.

It had been held under the monarchy that each American colony was as independent of England as the electorate of Hanover; now, therefore, in

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the confederacy of "the United States of America," each state was to remain an independent sovereign, and the union was to be no more than an alliance. This theory decided the manner in which congress should vote. Pennsylvania and Virginia asked, that, while each state might have at least one delegate, the rule should be one for every fifty thousand inhabitants; but the amendment was rejected by nine states against two, Delaware being absent and North Carolina divided. Virginia would have allowed one member of congress to each state for every thirty thousand of its inhabitants, and in this she was supported by John Adams; but his colleagues cast the vote of Massachusetts against it, and Virginia was left alone, North Carolina as before losing its vote by being equally divided. Virginia next desired that the representation for each state should be in proportion to its contribution to the public treasury; here again she was supported by John Adams, but was opposed by every other state, including North Carolina and Massachusetts. At last, with only one state divided and no negative voice but that of Virginia, an equal vote in congress was acknowledged to belong to each sovereign state, though the number of delegates to give that vote might be not less than two nor more than seven for each state. The remedy for this inequality enhanced the evil and foreboded anarchy: while each state had one vote, "great and very interesting questions" could be carried only by the concurrence of nine states. If the advice of Samuel Adams had been listened to, the vote of nine states would not have prevailed, unless they represented a majority of the

people of all the states. For the transaction of less important business, an affirmative vote of seven states was required. In other words, in the one case the assent of two thirds, in the other of a majority of all the thirteen states, was needed, the absence of any state having the force of a negative vote.

Principles of policy which in their origin may have been beneficent, when wrongly applied become a curse. The king's power to levy taxes by parliament or by his prerogative had been denied, and no more than a power to make requisitions conceded: in like manner the general congress, as successor to the king, could not levy taxes, but only make requisitions for money on the several states. The king might establish post-offices for public convenience, not for revenue: in like manner congress might authorize no rates of postage except to defray the expense of transporting the mails. The colonies under the king had severally levied import and export duties; the same power was allowed still to reside in each separate state, limited only by the proposed treaties with France and Spain.

Thus the new republic was left without any independent revenue, and the charges of the government, its issues of paper money, its loans, were to be ultimately defrayed by quotas assessed upon the separate states. The difference between the north and the south growing out of the institution of slavery decided the rule for the distribution of these quotas. By the draught of Dickinson, taxation was to be in proportion to the census of population, in which slaves were to be enumerated.

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On the thirteenth of October, 1777, it was moved that the sum to be paid by each state into the treasury should be ascertained by the value of all property within each state. This was promptly negatived, and was followed by a motion having for its object to exempt slaves from taxation altogether. On the following day, eleven states were present. The four of New England voted in the negative; Maryland, Virginia, and the two Carolinas in the affirmative. The decision remained with the central states. Robert Morris of Pennsylvania against Roberdeau, and Duer of New York against Duane, voted with the south, and so the votes of their states were divided and lost. The decision rested on New Jersey, and she gave it for the complete exemption from taxation of all property in slaves. This is the first important division between the slaveholding states and the states where slavery was of little account. The rule for apportioning the revenue as finally adopted, was the respective value of land granted or surveyed, and the buildings and improvements thereon, without regard to personal property or numbers. This alone rendered the confederacy nugatory; for congress had not power to make the valuation.

In like manner the rules for navigation were to be established exclusively by each separate state, and the confederation did not take to itself power to countervail the restrictions of foreign governments, or to form agreements of reciprocity, or even to establish uniformity. These arrangements suited the opinions of the time; the legislature of New Jersey, vexed by the control of New York

over the waters of New York bay, alone proposed as an amendment a grant of greater power over foreign commerce. Moreover, each state decided for itself what imports it would permit, and what it would prohibit; so that the confederate congress for itself renounced forever the power to sanction or to stop the slave-trade.

The king had possessed all the lands not alienated by royal grants. On the declaration of independence, the quit-rents were sequestered to the benefit of the proprietors, while each state assumed the ownership of the royal domain within its limits. A question was raised as to public lands which might be acquired or recovered by the war, especially the country northwest of the Ohio, which had been transferred to the province of Quebec by act of parliament; but that act formed one of the grievances of America; its validity was denied; and the states which by their charters extended indefinitely west, or west and northwest, refused to accept the United States as the umpire to settle their boundaries, except with regard to each other.

Jealousy of a standing army was one of the traditionary lessons of English liberty. The superiority of the civil over the military power was most deeply imprinted on the heart of the people. It was borne in mind, that victorious legions revolutionized Rome; that Charles the First sought to overturn the institutions of England by an army; that by an army Charles the Second was brought back without conditions; that by a standing army, which Americans themselves were to have been taxed to maintain, it had been proposed to abridge

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American liberties. In congress this distrust of military power existed all the more for the confidence and undivided affection which the people bore to the American commander-in-chief, and has for its excuse, that the ages perhaps never furnished an example, that human nature was hardly supposed able to furnish an example, of a military hero eminent as a statesman, the liberator of his country, and yet desirous after finishing his work to go into private life. We have seen how earnestly Washington endeavored to establish an army of the United States. His plan, which at the time it was proposed congress did not venture to reject, was now deliberately demolished. Congress thought it augured well for liberty that the states were stretched along the Atlantic shore in a narrow line, ill suited to unity of military action; and to prevent a homogeneous organization, it not only left to each of them the exclusive power over its militia, but the exclusive appointment of the regimental officers in its quota of land forces for the public service; so that there might be thirteen armies, rather than one.

As in England, so in America, this jealousy did not extend to maritime affairs; the separate states had no share in the appointment of officers in the navy, and the United States might even establish courts of admiralty, though with a jurisdiction limited to piracies and felonies on the high seas and to appeals in all cases of capture.

As the king in England, so the United States determined on peace and war, sent ambassadors to foreign powers, and entered into treaties and alli-

ances; but beside their general want of executive power, the grant to make treaties of commerce was nullified by the power reserved to the states over imports and exports, over shipping and revenue. CHAP. XXVI. 1777. Nov.

The right of coining money, the right of keeping up ships of war, land forces, forts, garrisons, were shared by congress with the respective states. No state, Massachusetts not more than South Carolina, would subordinate its law of treason to the will of congress. The formation of a class of national statesmen was impeded by the clause which forbade any man to sit in congress more than three years out of six; nor could the same member of congress be appointed its president more than one year in any term of three years. As there was scarcely the rudiment of a judiciary, so direct executive power was altogether wanting. The report of Dickinson provided for a council of state; but this was narrowed down to "a committee of states" to be composed of one delegate from each state, which could be invested with no power whatever respecting important business, and no power of any kind except that with which congress, "by the consent of nine states," might invest them from time to time.

Each state retained its sovereignty, and all power not expressly delegated. Under the king of England, the use of the veto in colonial legislation had been complained of. There was not even a thought of vesting congress with a veto on the legislation of states, or subjecting such legislation to the revision of a judicial tribunal. Each state, being

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esteemed independent and sovereign, had exclusive, full, and final powers in every matter relating to domestic police and government, to slavery and manumission, to the conditions of the elective franchise; and the restraints required by loyalty to the central government were left to be self-imposed Incidental powers to carry into effect the powers granted to the United States were denied, and thus granted powers might be made of no avail.

To complete the security against central authority, the articles of confederation were not to be adopted except by the unanimous assent of each one of the legislatures of the thirteen separate states; and no amendment might be made without an equal unanimity. A government which had not power to levy a tax, or raise a soldier, or deal directly with an individual, or keep its engagements with foreign powers, or amend its constitution without the unanimous consent of its members, had not enough of vital force to live. It could not interest the human race, and the establishment of independence must be the signal for its dissolution. But a higher spirit moved over the darkness of that formless void. That which then flowered, bore the seed of that which was to be. Notwithstanding the defects of the confederation, the congress of the United States, inspired by the highest wisdom of the eighteenth century, and seemingly without debate, embodied in their work four capital results, which Providence in its love for the human race could not let die.

The republics of Greece and Rome had been essentially no more than governments of cities.

When Rome exchanged the narrowness of the ancient municipality for cosmopolitan expansion, the republic, from the false principle on which it was organized, became an empire. The middle ages had free towns and cantons, but no national republic. Congress had faith that one republican government could comprehend a continental territory, even though it should extend from the Gulf of Mexico to the uttermost limit of Canada, and include Newfoundland.

Having thus proclaimed that republicanism may equal the widest empire in its bounds, they settled the relation of the United States to the natural rights of their inhabitants with superior wisdom. Some of the states had, each according to its prevailing superstition or prejudice, narrowed the rights of classes of men. One state disfranchised Jews, another Catholics, another deniers of the Trinity, another men of a complexion different from white. The United States in congress assembled suffered the errors against humanity in one state to eliminate the errors against humanity in another. They rejected every disfranchisement and superadded none. The declaration of independence said, all men are created equal; the articles of confederation and perpetual union made no distinction of classes, and knew no caste but the caste of humanity. To them, free inhabitants were free citizens.

That which gave reality to the union was the article which secured to "the free inhabitants" of each of the states "all privileges and immunities of free citizens in the several states." Congress

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appeared anxiously to shun the term "people of the United States;" it is nowhere found in the articles of confederation, and rarely and only accidentally in their votes; yet by this act they constituted the free inhabitants of the different states one people. When the articles of confederation reached South Carolina for confirmation, it was perceived that they secured equal rights of inter-citizenship in the several states to the free black inhabitant of any state. This concession was opposed in the legislature of South Carolina, and after an elaborate speech by William Henry Drayton, the articles were returned to congress with a recommendation that inter-citizenship should be confined to the white man; but congress, by a vote of eight states against South Carolina and Georgia, one state being divided, refused to recede from the universal system on which American institutions were to be founded. The decision was not due to the excitement of impassioned philanthropy: slavery at that day existed in every one of the thirteen states; and all over the country, notwithstanding many men south as well as north revolted at the thought of continuing the institution, custom scarcely recognised the black man as an equal; yet congress, with a fixedness of purpose resting on a principle, would not swerve from its position. For when it resolved upon independence and had to decide on whom a demand could be made to maintain that independence, it defined as members of a colony all persons abiding within it and deriving protection from its laws, and charged the guilt of treason on all members of the united colonies who

should adhere to the king of Great Britain. Now, therefore, when inter-state rights were to be confided to the members of each state, it looked upon every freeman who owed primary allegiance to the state as a citizen of the state. The free black inhabitant owed allegiance, and was entitled to equal civil rights, and so was a citizen. Universal suffrage as the right of man was not as yet asserted in the constitution of any one of the states. Congress, while it left the regulation of the elective franchise to the judgment of each state, in the articles of confederation, in its votes and its treaties with other powers, reckoned all the free inhabitants, without distinction of ancestry, creed, or color, as subjects or citizens. But America, though the best representative of the social and political gains of the eighteenth century, was not the parent of the idea in modern civilization that man is a constituent member of the state of his birth, irrespective of his ancestry. It was become the public law of Christendom. Had America done less, she would have been, not the leader of nations, but a laggard.

One other life-giving excellence distinguished the articles of confederation. The instrument was suffused with the idea of securing the largest liberty to individual man. In the ancient Greek republic, the state existed before the individual and absorbed the individual. Thought, religious opinion, worship, conscience, amusements, joys, sorrows, all activities, were regulated by the state; the individual lived only as subordinate to the state. A declaration of rights is a declaration of those liberties of the individual which the state cannot justly control. The

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Greek system of law knew nothing of such liberties; the Greek citizen never spoke of the rights of man; the individual was merged in the body politic. At last a government founded on consent could be perfected, for the acknowledgment that conscience has its rights had broken the unity of despotic power, and confirmed the freedom of the individual. Because there was life in all the parts, there was the sure promise of a well-organized life in the whole.

Yet the young republic failed in its first effort at forming a general union. The smoke in the flame overpowered the light. "The articles of confederation endeavored to reconcile a partial sovereignty in the union with complete sovereignty in the states, to subvert a mathematical axiom by taking away a part and letting the whole remain." The polity then formed could hardly be called an organization, so little did the parts mutually correspond and concur to the same final actions. The executive power vested in the independent will of thirteen separate sovereign states was like many pairs of ganglia in one of the inferior articulata, of which part may press to go one way and part another. Yet through this chaotic mass the rudiment of a spinal cord may be traced. The system was imperfect, and was acknowledged to be imperfect. A better one could not then have been accepted; but with all its faults it contained the elements for the evolution of a more perfect union. America in her progress carried along with her the urn which held the ashes of the dead past, but she also had hope and creative power. The sentiment

of nationality was forming. The framers of the confederacy would not admit into that instrument the name of the people of the United States, and described the states as so many sovereign and independent communities; yet already in the circular letter of November, 1777, to the states, asking their several subscriptions to the plan of confederacy, they avowed the purpose to secure to the inhabitants of all the states an "existence as a free people." The child that was then born was cradled between opposing powers of evil; if it will live, its infant strength must strangle the twin serpents of separatism and central despotism.

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CHAPTER XXVII.

WINTER-QUARTERS AT VALLEY FORGE.

November, 1777 — April, 1778.

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When at last Washington was joined by troops from the northern army, a clamor arose for the capture of Philadelphia. Protected by the Schuylkill and the Delaware, the city could be approached only from the north, and on that side a chain of fourteen redoubts extended from river to river. Moreover, the army by which it was occupied, having been reënforced from New York by more than three thousand men, now exceeded nineteen thousand. Yet four American officers voted in council for an assault upon the lines of this greatly superior force; but the general, sustained by eleven, disregarded the murmurs of congress and rejected "the mad enterprise."

Ashamed of inaction, Sir William Howe announced to his government his intention to make a forward movement. Washington, with a quickness of eye that had been developed by his forest-life as a sur-

veyor, selected in the woods of Whitemarsh strong ground for an encampment, and there, within fourteen miles of Philadelphia, awaited the enemy, of whose movements he received exact and timely intelligence. On the severely cold night of the fourth of December, the British, fourteen thousand strong, marched out to attack the American lines. Before daybreak on the fifth, their advance party halted on a ridge beyond Chestnut hill, eleven miles from Philadelphia, and at seven their main body formed in one line, with a few regiments as reserves. The Americans occupied thickly wooded hills, with a morass and a brook in their front. Opposite the British left wing a breastwork defended the only point where the brook could be easily forded. About noon, General Irvine, who led some Pennsylvania militia into a skirmish, was wounded and taken prisoner, and his party were dispersed. At night the British force rested on their arms, and the hills far and wide blazed with the innumerable fires of the two armies. Washington passed the hours in strengthening his position; and though from sickness, fatigue, and want of clothing, he had at most but eleven thousand, according to Kalb, who was present, but seven thousand really effective men, he wished for an engagement. Near the end of another day Howe marched back to Germantown, and on the next, as if intending a surprise, suddenly returned upon the American left, which he made preparations to assail. Washington rode through every brigade, delivering in person his orders on the manner of receiving their enemy, exhorting to a reliance on the bayonet;

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and his words, and still more his example, inspired them with his own fortitude. All day long, and until eight in the evening, Howe kept up his reconnoitring, but found the American position everywhere strong by nature and by art. Nothing occurred during the day but a sharp action on Edge hill, between light troops under Gist and Morgan's riflemen and a British party led by General Grey. The latter lost eighty-nine in killed and wounded; the Americans twenty-seven, among them the brave Major Morris of New Jersey. On the eighth, just after noon, the British suddenly filed off, and marched by the shortest road to Philadelphia. Their loss in the expedition exceeded one hundred. Thus the campaign closed. Howe had gone out with superior numbers and the avowed intention of bringing on a battle, and had so respected his adversary that he would not engage him without some advantage of ground. Henceforward he passed the winter behind his intrenchments, making only excursions for food or forage; and Washington had no choice but to seek winter-quarters for his suffering soldiers.

Military affairs had thus far been superintended by congress, through a committee of its own members. After some prelude in July, 1777, it was settled in the following October to institute an executive board of war of five persons not members of congress.

Conway, a French officer of Irish descent, whom Greene and others describe as "worthless," had long been eager for higher rank. In a timely letter to Richard Henry Lee, a friend to Conway, Washington wrote: "His merits exist more in his own

imagination than in reality; it is a maxim with him not to want anything which is to be obtained by importunity;" his promotion would be "a real act of injustice," likely to "incur a train of irremediable evils. To sum up the whole, I have been a slave to the service; I have undergone more than most men are aware of to harmonize so many discordant parts; but it will be impossible for me to be of any further service, if such insuperable difficulties are thrown in my way." These words might be interpreted as a threat of resignation in the event of Conway's promotion. Conway breathed out his discontent to Gates, writing in substance: "Heaven has been determined to save your country, or a weak general and bad counsellors would have ruined it." The correspondents of Gates did not scruple in their letters to speak of the commander-in-chief with bitterness or contempt. "This army," wrote Reed, "notwithstanding the efforts of our amiable chief, has as yet gathered no laurels. I perfectly agree with that sentiment which leads to request your assistance." On the sixth of November, Wilkinson, the principal aid of Gates, a babbling and unsteady sycophant praised by his chief for military genius, was made a brigadier. On the seventh, Mifflin, leaving his office of quartermaster-general, of which he had neglected the duties, yet retaining the rank of major-general, was elected to the board of war. The injurious words of Conway having through Wilkinson been reported to Washington, on the ninth he communicated his knowledge of them to Conway, and to him alone. Conway, in an interview, justified them, made no apology, and

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after the interview reported his defiance of Washington to Mifflin. On the tenth, Sullivan, second in rank in the army, knowing the opinion of his brother-officers and of his chief, and that on a discussion at a council of war about appointing an inspector-general Conway's pretensions met with no favor, wrote to a member of congress: "No man can behave better in action than General Conway; his regulations in his brigade are much better than any in the army; his knowledge of military matters far exceeds any officer we have. If the office of inspector-general with the rank of major-general was given him, our army would soon cut a different figure from what they now do." On the same day Wayne expressed his purpose "to follow the line pointed out by the conduct of Lee, Gates, and Mifflin." On the eleventh, Conway, foreseeing that Gates was to preside at the board of war, offered to form for him a plan for the instruction of the army; and on the fifteenth, to advance his intrigue, he tendered his resignation to congress. On the seventeenth, Lovell of Massachusetts wrote to Gates threatening Washington "with the mighty torrent of public clamor and vengeance," and subjoined: "How different your conduct and your fortune; this army will be totally lost unless you come down and collect the virtuous band who wish to fight under your banner." On the twenty-first, Wayne, forgetting the disaster that had attended his own rash confidence, disparaged Washington as having more than once slighted the favors of fortune. On the twenty-fourth, congress received the resignation of Conway, and referred it

to the board of war, of which Mifflin at that time was the head. On the twenty-seventh, they filled the places in that board, and appointed Gates its president. On the same day Lovell wrote to Gates: "We want you in different places; we want you most near Germantown. Good God, what a situation we are in! how different from what might have been justly expected!" and he represented Washington as a general who collected astonishing numbers of men to wear out stockings, shoes, and breeches, and "Fabiused affairs into a very disagreeable posture." On the twenty-eighth, congress declared themselves by a unanimous resolution in favor of carrying on a winter's campaign with vigor and success, and sent three of their members with Washington's concurrence to direct every measure which circumstances might require. On the same day, Mifflin, explaining to Gates how Conway had braved the commander-in-chief, volunteered his own opinion that the extract from Conway's letter was a "collection of just sentiments." Gates, on receiving the letter, wrote to Conway: "You acted with all the dignity of a virtuous soldier." He wished "so very valuable and polite an officer might remain in the service." To congress he complained of the betrayal of his correspondence to Washington, with whom he came to an open rupture. On the thirteenth of December, congress, following Mifflin's report, appointed Conway inspector-general, promoted him to be a major-general, made his office independent of the commander-in-chief, and referred him to the board of war for the regulations which he was to introduce.

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Some of those engaged in the cabal wished to provoke Washington to the resignation which he seemed to have threatened.

This happened just as Washington by his skill at Whitemarsh had closed the campaign with honor. The condition of his troops required repose. The problem which he must solve was to keep together through the cold winter an army without tents, and to confine the British to the environs of Philadelphia. There was no town which would serve the purpose. Valley Forge, on the Schuylkill, but twenty-one miles from Philadelphia, admitted of defence against the artillery of those days, and had more than one route convenient for escape into the interior. The ground lay sheltered between two ridges of hills, and was covered by a thick forest. From his life in the woods, Washington could see in the trees a town of log-cabins, built in regular streets, and affording shelter enough to save the army from dispersion.

As his men moved towards the spot selected for their winter resting-place, they had not clothes to cover their nakedness, nor blankets to lie on, nor tents to sleep under. For the want of shoes their marches through frost and snow might be traced by the blood from their feet, and they were almost as often without provisions as with them. On the nineteenth they arrived at Valley Forge, within a day's march of Howe's army, with no shelter till they could build houses for themselves. The order for their erection was received by officers and men as impossible of execution, and they were still more astonished at the ease with which, as the

work of their Christmas holidays, they changed the forest into huts thatched with boughs in the order of a regular encampment. Washington's unsleeping vigilance and thorough system for receiving intelligence secured them against surprise; love of country and attachment to their general sustained them under their unparalleled hardships; with any other leader the army would have dissolved and vanished. Yet he was followed to Valley Forge by letters from congress transmitting the remonstrance of the council and assembly of Pennsylvania against his going into winter-quarters. To this senseless reproof Washington on the twenty-third, after laying deserved blame upon Mifflin for neglect of duty as quartermaster-general, replied: "For the want of a two days' supply of provisions, an opportunity scarcely ever offered of taking an advantage of the enemy that has not been either totally obstructed or greatly impeded. Men are confined to hospitals or in farmers' houses for want of shoes. We have this day no less than two thousand eight hundred and ninety-eight men in camp unfit for duty, because they are barefoot and otherwise naked. Our whole strength in continental troops amounts to no more than eight thousand two hundred in camp fit for duty. Since the fourth instant, our numbers fit for duty from hardships and exposures have decreased nearly two thousand men. Numbers still are obliged to sit all night by fires. Gentlemen reprobate the going into winter-quarters as much as if they thought the soldiers were made of stocks or stones. I can assure those gentlemen that it is a much easier and less distressing thing to draw remonstrances in a

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While the shivering soldiers were shaping the logs for their cabins, the clamor of the Pennsylvanians continued; and the day after Christmas, Sullivan, who held with both sides, gave his written advice to Washington to yield and attack Howe in Philadelphia, "risking every consequence in an action." The press was called into activity. On the last day in the year, an anonymous writer in the "New Jersey Gazette," at Trenton, supposed to be Benjamin Rush, began a series of articles under the name of a French officer, to set forth the unrivalled glory of Gates, who had conquered veterans with militia, pointing out plainly Washington's successor.

1778. Jan. The year 1778 opened gloomily at Valley Forge. To the touching account of the condition of the army, congress, which had not provided one magazine for winter, made no response except a promise to the soldiers of one month's extra pay, and a renewal of authority to take the articles necessary for their comfortable subsistence. Washington was averse to the exercise of military power, not only from reluctance to give distress, but to avoid increasing the prevalent jealousy and suspicion. Seeing no movement towards a reform in the administration, on the fifth of January he renewed his remon-

strances with respect and firmness: "The letter from the committee of congress and board of war does not mention the regulations adopted for removing the difficulties and failures in the commissary line. I trust they will be vigorous or the army cannot exist. It will never answer to procure supplies of clothing or provision by coercive measures. The small seizures made of the former a few days ago, when that or to dissolve was the alternative, excited the greatest uneasiness even among our warmest friends. Such procedures may give a momentary relief, but, if repeated, will prove of the most pernicious consequence. Besides spreading disaffection, jealousy, and fear among the people, they never fail, even in the most veteran troops under the most rigid and exact discipline, to raise in the soldiery a disposition to plunder, difficult to suppress, and not only ruinous to the inhabitants, but, in many instances, to armies themselves. I regret the occasion that compelled us to the measure the other day, and shall consider it among the greatest of our misfortunes if we should be under the necessity of practising it again." Still congress did no more than on the tenth and twelfth of January appoint Gates and Mifflin, with four or five others, to repair to head-quarters and concert reforms.

While those who wished the general out of the way urged him to some rash enterprise, or, to feel the public pulse, sent abroad rumors that he was about to resign, Benjamin Rush in a letter to Patrick Henry represented the army of Washington as having no general at their head, and went on to say: "A Gates, a Lee, or a Conway, would in a few weeks

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render them an irresistible body of men. Some of the contents of this letter ought to be made public, in order to awaken, enlighten, and alarm our country." This communication, to which Rush dared not sign his name, Patrick Henry in his scorn noticed only by sending it to Washington. An anonymous paper of the like stamp, transmitted to the president of congress, took the same direction.

Meantime, the council and assembly of Pennsylvania renewed to congress their wish that Philadelphia might be taken and the British driven away. Congress hailed the letter as proof of a rising spirit, and directed the committee appointed to go to camp to consult on the subject with the government of Pennsylvania and with General Washington.

Nor was this all. The board of war was ambitious of the fame of great activity, and also wished to detach Lafayette, the representative of France, from the commander-in-chief. In concert with Conway, but without consulting Washington, they induced congress to sanction a winter expedition against Canada, under Lafayette, who was not yet twenty-one years old, with Conway for his second in command, and with Stark. Assured at Yorktown by Gates that he would have a force of three thousand men, and that Stark would have already destroyed the shipping at Saint Johns, Lafayette repaired to Albany, but not until he obtained from congress Kalb as his second, and Washington as his direct superior. There the three major-generals of the expedition met, and were attended or followed by twenty French officers. Stark wrote for orders. The available force for the conquest, counting a

regiment which Gates detached from the army of Washington, did not exceed a thousand. For these there was no store of provision, nor clothing suited to the climate of Canada, nor means of transportation. Two years' service in the northern department cannot leave to Gates the plea of ignorance; his plan showed his utter administrative incapacity; it accidentally relieved the country of Conway, who, writing petulantly to congress, found his resignation, which he had meant only as a complaint, irrevocably accepted. Lafayette and Kalb were recalled.

Slights and selfish cabals could wound the sensibility but not affect the conduct of Washington. The strokes of ill-fortune in his campaigns he had met with equanimity and fortitude; but he sought the esteem of his fellow-men as his only reward, and now unjust censure gave him the most exquisite pain. More was expected from him than was possible to be performed. Moreover, his detractors took an unfair advantage, for he was obliged to conceal the weakness of his army from public view, and thereby submit to calumny. To William Gordon, who was seeking materials for a history of the war, he wrote freely: "Neither interested nor ambitious views led me into the service. I did not solicit the command, but accepted it after much entreaty, with all that diffidence which a conscious want of ability and experience equal to the discharge of so important a trust must naturally excite in a mind not quite devoid of thought; and after I did engage, pursued the great line of my duty and the object in view, as far as my judgment could direct, as pointedly as the needle to the pole." "No person ever heard

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me drop an expression that had a tendency to resignation. The same principles that led me to embark in the opposition to the arbitrary claims of Great Britain operate with additional force at this day; nor is it my desire to withdraw my services while they are considered of importance to the present contest. There is not an officer in the service of the United States that would return to the sweets of domestic life with more heartfelt joy than I should, but I mean not to shrink in the cause."

In his remonstrances with congress he wrote with plainness, but with moderation. His calm dignity, while it irritated his adversaries, overawed them; and nothing could shake the confidence of the people, or divide the affections of any part of the army, or permanently distract the majority of congress. Those who had been most ready to cavil at him soon wished their rash words benevolently interpreted or forgotten. Gates denied the charge of being in a league to supersede Washington as a wicked, false, diabolical calumny of incendiaries, and would not believe that any such plot existed; Mifflin exonerated himself in more equivocal language; and both retired from the committee that was to repair to head-quarters. In the following July, Conway, thinking himself mortally wounded in a duel, wrote to Washington: "My career will soon be over; therefore justice and truth prompt me to declare my last sentiments. You are in my eyes the great and good man. May you long enjoy the love, veneration, and esteem of these states, whose liberties you have asserted by your virtues." The committee which towards the end of January was

finally sent to consult with Washington, was composed exclusively of members of congress, and the majority of them, especially Charles Carroll of Maryland, were his friends. But in the procrastination of active measures of relief, the departments of the quartermaster and commissary remained like clocks with so many checks that they cannot go. Even so late as the eleventh of February, Dana, one of the committee, reported that men died for the want of straw or materials to raise them from the cold, wet earth. In numerous and crowded hospitals the sick could not be properly cared for. Inoculation was delayed for want of straw and other necessaries. Almost every species of camp-transportation was performed by men, who, without a murmur, yoked themselves to little carriages of their own making, or loaded their fuel and provisions on their backs. Some brigades had been four days without meat. Desertions were frequent. There was danger that the troops would perish from famine or disperse in search of food.

All this time the British soldiers in Philadelphia were well provided for, the officers quartered upon the inhabitants. The days were spent in pastime, the nights in entertainments. By a proportionate tax on the pay and allowances of each officer, a house was opened for daily resort and for weekly balls, with a gaming-table which had assiduous votaries, and a room devoted to the game of chess. Thrice a week, plays were enacted by amateur performers. The curtain painted by André was greatly admired. The officers, among whom all ranks of the British aristocracy were represented, lived in

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open licentiousness. At a grand review, a beautiful English girl, mistress of a colonel and dressed in the colors of his regiment, drove down the line in her open carriage with great ostentation. The pursuit of pleasure was so eager, and Howe had on former occasions been so frequently baffled, that an attack in winter was not added to the trials of the army at Valley Forge.

The troops of Burgoyne remained in the environs of Boston. In violation of the word of honor of the officers, much public property had been carried off from Saratoga. As if preparing an excuse for a total disengagement from his obligations, Burgoyne, complaining without reason of the quarters provided for his officers, deliberately wrote and insisted that the United States had violated the public faith, and refused to congress descriptive lists of the non-commissioned officers and soldiers who were not to serve in America during the war. On these grounds, congress suspended the embarkation of the troops under his command till a ratification of the convention should be notified by the court of Great Britain to congress. Burgoyne sailed for England on his parole.

All the while, events illustrated the greatness of the struggle. In February, 1778, a detachment of men from Pittsburg, descending the Ohio and Mississippi, arrived on the evening of the nineteenth at Natchez. The next day they hoisted the flag of the United States, and took possession of the country in their name. The inhabitants, promising a strict neutrality, were admitted to parole as prisoners of war; and the liberty and property of actual residents were respected.

The parties of Indians which the English had let loose on the frontiers roused Virginia, and Saint Clair Clarke received from its governor the commission to carry the flag of independence through the country northwest of the Ohio to Detroit. To counteract the arts of the British emissaries among the Indians on the borders of Virginia and the Carolinas, Colonel Nathaniel Gist was commissioned to take into the public service two hundred of the red men and fifty of the white inhabitants of the neighboring counties. Care was taken to preserve the friendship of the Oneidas.

The American militia of the sea were restlessly active. In the night of the twenty-seventh of January, a privateer took the fort of New Providence, made prize of a British vessel of war of sixteen guns, which had gone in for repairs, and recaptured five American vessels. Biddle, in the "Randolph," a United States frigate of thirty-six guns on a cruise from Charleston, falling in with the "Yarmouth," a British ship of sixty-four guns, hoisted the stars and stripes, fired a broadside, and continued the engagement till his ship went down.

The country was weak only from being without a government. During the winter the members present in congress were sometimes only nine, rarely seventeen; and of former members Franklin, Washington, Jefferson, John Rutledge, Jay, and others, were employed elsewhere, and John Adams had recently been elected to succeed Deane as commissioner in France. The want of power explains and excuses the continuous inefficiency of congress. It proposed in January to borrow ten millions of dol-

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lars, but it had no credit. So in January, February, and March two millions of paper money were ordered to be issued, and in April six and a half millions more. These emissions were rapidly followed by corresponding depreciations. When the currency lost its value, congress would have had the army serve on from disinterested patriotism; but Washington pointed out the defect in human nature which does not permit practical affairs to be conducted through a succession of years by a great variety of persons without regard to just claims and equitable interests; and after months of resistance, officers who should serve to the end of the war were promised half-pay for seven years, privates a sum of eighty dollars.

As enlistments failed, Washington urged congress to complete the continental battalions of all the states except South Carolina and Georgia by drafts from their militia; congress, though not till the end of February, adopted the advice, limiting the service to nine months. The execution of the measure was unequal, for it depended on the good-will of the several states; but the scattered villages paraded their militia for the draft with sufficient regularity to save the army from dissolution. Varnum, a brigadier of Rhode Island, proposed the emancipation of slaves in that state, on condition of their enlisting in the army for the war. The scheme, approved by Washington, and by him referred to Cooke, the governor of the state, was accepted. Every able-bodied slave in Rhode Island received by law liberty to enlist in the army for the war. On passing muster he became free and entitled to all the wages

and encouragements given by congress to any soldier. The state made some compensation to their masters.

The powerlessness of congress admitted no effective supervision over officers of their own appointment. Unable to force a defaulting agent to a settlement, in February they asked the legislatures of the several states to enact laws for the recovery of debts due to the United States; and they invited the supreme executive of every state to watch the behavior of all civil and military officers of the United States in the execution of their offices.

Driven by necessity, congress won slowly a partial victory over their pride and their fears; and on the second of March they elected Greene quartermaster-general, giving him two assistants that were acceptable to him, and the power of appointing all other officers in his department. After more than another month, the same system was extended to the commissary department. The place of inspector-general fell to Baron Steuben, a Prussian officer, then forty-seven years of age, who had served during the seven years' war, and now adopted America for his country. The high rank which he assumed falsely but without question, the good opinion of Vergennes and Saint-Germain, the recommendation of Franklin, the halo of having served under the great Frederic, and his real merit, secured for him the place of a major-general, which he claimed, and on the fifth of February he was welcomed to Valley Forge. Setting an example to the officers by drilling squads of men, he wrought a reform in the use of the musket and in manœuvre.

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Yet there remained a deeply seated conflict of opinion between congress and the commander-in-chief on questions of principle and policy. Washington would from the first have had men enlisted for the war; congress, from jealousy of standing armies, had insisted upon short enlistments. Washington was anxious to exchange prisoners; congress bore in mind that each British prisoner would resume his place in the army, while the American prisoner, from the system of short enlistments, would return home. Washington wished the exchange to be conducted on one uniform rule; congress, repeatedly checking Washington by sudden interference, required a respect to the law of treason of each separate state. Washington would have one continental army; congress, an army of thirteen sovereignties. Congress was satisfied with the amount of its power as a helpless committee; Washington wished a government of organized vigor. Congress guarded separate independence; the patriotism of Washington took a wider range, and in return the concentrated public affections, radiating from every part of the United States, met in him. All this merit and this popularity, and the undivided attachment of the army, quickened the jealousy of congress, and made them more sensible of their own relative weakness. They could not have defended themselves against the mutiny of a single regiment. They felt that their perfect control over the general sprung in part from his own nature, and that could not be fully judged of before the end. Nor was it then known that the safety of the country against military usurpation lay in the character and circum-

stances of the American people, which had life in all its parts, and therefore a common life that was indestructible.

To allay the jealousy which congress entertained and some of its members labored to establish, Washington, on the twenty-first of April, wrote to one of its delegates: "Under proper limitations it is certainly true that standing armies are dangerous to a state. The prejudices of other countries have only gone to them in time of peace, and from their being hirelings. It is our policy to be prejudiced against them in time of war, though they are citizens, having all the ties and interests of citizens, and in most cases property totally unconnected with the military line. The jealousy, impolitic in the extreme, can answer not a single good purpose. It is unjust, because no order of men in the thirteen states has paid a more sacred regard to the proceedings of congress than the army; for without arrogance or the smallest deviation from truth it may be said, that no history now extant can furnish an instance of an army's suffering such uncommon hardships as ours has done, and bearing them with the same patience and fortitude. Their submitting without a murmur is a proof of patience and obedience which in my opinion can scarce be paralleled. There may have been some remonstrances or applications to congress in the style of complaint from the army, and slaves indeed should we be if this privilege were denied; but these will not authorize nor even excuse a jealousy that they are therefore aiming at unreasonable powers, or making strides subversive of civil authority. There should be none of these

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distinctions. We should all, congress and army, be considered as one people, embarked in one cause, in one interest, acting on the same principle and to the same end." In framing an oath of fidelity for all civil and military officers, congress, much as it avoided the expression, made them swear that the "people of the United States" owed no allegiance to the king of Great Britain. The soldiers serving under one common flag, to establish one common independence, and, though in want of food, of shoes, of clothes, of straw for bedding, of regular pay, of pay in a currency of fixed value, never suffering their just discontent to get the better of their patriotism, still more clearly foreshadowed a great nationality. The unity of the country was formally proclaimed in its relations to the rest of the world.

CHAPTER XXVIII.

THE UNITED STATES AND GEORGE THE THIRD.

1777—1778.

Except three fortified posts covering Newport, New York with its environs, and Philadelphia, the United States were independent in fact, and no one port was blockaded. The court of Russia desired to shut their cruisers out of the Baltic, but confidentially assured the Bourbon family that it would not interfere, and would even be pleased to see them throw off the yoke of England. The great Frederic, while he closed his ports to their privateers, avowed his belief that they would succeed, wished for their success, ridiculed the English war ministers and generals, and looked forward to a direct commerce between his kingdom and the new republic. Against the advice of Franklin and a seasonable hint from the Prussian minister Schulemburg that the visit would be premature, Arthur Lee went by way of Vienna to Berlin. At Vienna he was kept aloof by Kaunitz. In Berlin he, like

CHAP. XXVIII. 1777. every traveller, was assured of protection. Elliott, the British minister, at the cost of a thousand guineas, hired a burglar to steal his papers; but on his complaint to the police, Elliott sent them back, and spirited the thief out of the kingdom. Frederic, who refused to see Lee, of his own free will showed the agents of the United States friendly respect, resolved to acknowledge their independence as soon as it could be done without embroiling himself with England, and promised his influence to prevent new treaties by England for German troops. To this end he forbade for a time the transit through any part of his dominions to troops destined for America.

The crazy prince of Anhalt-Zerbst, who ruled over but three hundred square miles with twenty thousand inhabitants, after unceasing importunities concluded a bargain for twelve hundred and twenty-eight men, to be delivered at his own risk at the place of embarkation. Death was the penalty for the attempt to desert; yet as these regiments passed near the frontier of Prussia there was a loss of three hundred and thirty-three in ten days, and the number finally delivered was less than half of what was promised. When the men of Anhalt-Zerbst arrived at their destination in Quebec, the governor, having no orders to receive them, would not suffer them to disembark till a messenger could go to England and return.

To make good the loss of Hessians, the landgrave of Hesse-Cassel impressed men wherever he could do so with impunity. The heartless meanness of the Brunswick princes would pass belief if it was not

officially authenticated. These professed fathers of their people begged that the wretched captives of Saratoga might not find their way back to Brunswick, where they would disgust everybody with the war, and spoil the traffic in soldiers by their complaints, but be sent to the deadly climate of the British West Indies,[1] or anywhere rather than to their own homes. The princes who first got the trade in soldiers were jealous of competitors, and dropped hints that the states of Wirtemberg would never suffer a contract by their duke to be consummated; that Protestant England ought not to employ Catholic troops like those of the elector palatine; but it was the policy of Frederic which forced England to give over the hope of further subsidiary treaties with German powers.

Under the German kinglings the sense of the nation could not express itself freely, but German political interest centred in America. The thought of emigrating thither had crossed the mind of Goethe. Translations of British pamphlets on the war, including "Price upon Liberty," were printed in Brunswick. Lessing saw with delight a new house of humanity rising beyond the ocean; Schiller, who had run the risk of being assistant-surgeon to a regiment of Wirtemberg mercenaries, a few years later brought the crime of the princes upon the stage; and Kant, who under the shelter of Frederic sought to solve by free analysis the unvarying laws of reason, judgment, and action, drew a condemnation of the traffic in soldiers as it were from the depths of eternity. Had officers or men sent over to America

[1] Brunswick minister to British secretary of state, 23 December, 1777; and 23 February, 1778.

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uttered complaints, they would have been shot for mutiny; but Mirabeau, then a fugitive in Holland, lifted up the voice of the civilization of his day against the trade, and spoke to the peoples of Germany and the soldiers themselves: "What new madness is this? Alas, miserable men, you burn down not the camp of an enemy, but your own hopes! Germans! what brand do you suffer to be put upon your forehead? You war against a people who have never wronged you, who fight for a righteous cause, and set you the noblest pattern. They break their chains. Imitate their example. Have you not the same claim to honor and right as your princes? Yes, without doubt. Men stand higher than princes. Of all rulers conscience is the highest. You, peoples that are cheated, humbled, and sold! fly to America, but there embrace your brothers. In the spacious places of refuge which they open to suffering humanity, learn the art to be free and happy, the art to apply social institutions to the advantage of every member of society." Against this tocsin of revolution the landgrave of Hesse defended himself on principles of feudal law and legitimacy; and Mirabeau rejoined: "When power breaks the compact which secured and limited its rights, then resistance becomes a duty. He that fights to recover freedom, exercises a lawful right. Insurrection becomes just. There is no crime like the crime against the freedom of the peoples."

When on the twentieth of November the king of England opened the session of parliament, there were only three systems between which the choice

lay. To reduce the former colonies to subordination, the king insisted on a continuation of the war without regard to the waste of life or treasure. Chatham, who had written a few weeks before: "I see no way of political salvation; 'fuit Ilium et ingens gloria;' England and its mighty glory are no more," now said: "France has insulted you, and our ministers dare not interpose with dignity or effect. My lords! you cannot conquer America. In three campaigns we have done nothing and suffered much. You may swell every expense, accumulate every assistance you can buy or borrow, traffic and barter with every little pitiful German prince that sells and sends his subjects to the shambles of a foreign prince; your efforts are forever vain and impotent, doubly so from this mercenary aid on which you rely, for it irritates to an incurable resentment. If I were an American, as I am an Englishman, while a foreign troop was landed in my country I never would lay down my arms; never, never, never." And he passed on to condemn the alliance with "the horrible hell-hounds of savage war." His advice, freed from his rhetoric, was, to conciliate America by a change of ministry, and to chastise France. The third plan, which was that of the Rockingham party, was expressed by the Duke of Richmond: "Lest silence should be deemed acquiescence, I must declare I would sooner give up every claim to America, than continue an unjust and cruel civil war." A few days later, Lord Chatham dwelt on the subject of Gibraltar as "the best proof of British naval power, and the only solid check on that of the house of Bourbon."

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Returning from the fatiguing debate of the second of December on the state of the nation, Lord North received the news of the total loss of Burgoyne's army. He was so agitated that he could neither eat nor sleep, and the next day at the levee his distress was visible to the foreign ministers. He desired to make peace by giving up all the points which had been in dispute with America, or to retire from the ministry. Concession after defeat was humiliating; but there must be prompt action or France would interfere. In a debate of the eleventh, the Duke of Richmond, from the impossibility of conquest, argued for "a peace on the terms of independence, and such an alliance or federal union as would be for the mutual interests of both countries." Burke in the commons was for an agreement with the Americans at any rate; and Fox said: "If no better terms can be had, I would treat with them as allies, nor do I fear the consequence of their independence." It was the king who persuaded his minister to forego the opportunity which never could recur, and against his own conviction, without opening to America any hope of pacification, to adjourn the parliament to the twentieth of January. Those who were, near Lord North in his old age never heard him murmur at his having become blind; "but in the solitude of sleepless nights he would sometimes fall into very low spirits, and deeply reproach himself for having at the earnest desire of the king remained in administration after he thought that peace ought to have been made with America."

The account of Burgoyne's surrender, which was

brought to France by a swift-sailing ship from Boston, threw Paris into transports of joy. None doubted the ability of the states to maintain their independence. On the twelfth of December, their commissioners had an interview with Vergennes. "Nothing," said he, "has struck me so much as General Washington's attacking and giving battle to General Howe's army. To bring troops raised within the year to this, promises everything. The court of France, in the treaty which is to be entered into, intend to take no advantage of your present situation. Once made, it should be durable, and therefore it should contain no condition of which the Americans may afterwards repent, but such only as will last as long as human institutions shall endure, so that mutual amity may subsist forever. Entering into a treaty will be an avowal of your independence. Spain must be consulted, and Spain will not be satisfied with an undetermined boundary on the west. Some of the states are supposed to run to the South sea, which might interfere with her claim to California." It was answered that the last treaty of peace adopted the Mississippi as a boundary. "And what share do you intend to give us in the fisheries?" said Vergennes;[1] for in the original draught of a treaty the United States had proposed to take to themselves Cape Breton and the whole of the island of Newfoundland. Explanations were made by the American commissioners that their later instructions removed all chances of disagreement on that subject.

The return of the courier to Spain was not waited

[1] Vergennes to Montmorin, 13 December, 1777, Espagne, 693.

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for. On the seventeenth, Gerard, one of the secretaries of Vergennes, informed Franklin and Deane, by the king's order, that the king in council had determined not only to acknowledge but to support American independence. In case England should declare war on France on account of this recognition, he would not insist that the Americans should not make a separate peace, but only that they should maintain their independence. The American commissioners answered: "We perceive and admire the king's magnanimity and wisdom. He will find us faithful and firm allies. We wish with his majesty that the amity between the two nations may last forever;" and then both parties agreed that good relations could continue between a monarchy and a republic, between a Catholic monarchy and a Protestant republic. The French king promised in January three millions of livres; as much more, it was said, would be remitted by Spain from Havana. The vessels laden with supplies for the United States should be convoyed by a king's ship out of the channel. But when Arthur Lee, who was equally disesteemed in Versailles and Madrid, heard of the money expected of Spain, he talked and wrote so much about it that the Spanish government, which wished to avoid a rupture with England, took alarm, and receded from its intention.

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In January, 1778, Lord Amherst, as military adviser, gave the opinion that nothing less than an additional army of forty thousand men would be sufficient to carry on offensive war in North America; but the king would not suffer Lord North to

flinch, writing sometimes chidingly that there could not be "a man either bold or mad enough to presume to treat for the mother country on a basis of independence;" sometimes appealing to the minister's "personal affection for him and sense of honor;" and, in the event of a war with France, suggesting that "it might be wise to draw the troops from the revolted provinces, and to make war on the French and Spanish islands." To Lord Chatham might be offered anything but substantial power, for "his name, which was always his greatest merit, would greatly hurt Lord Rockingham's party." And at court the king lavished civilities on George Grenville and others who were connected with Lord Chatham.

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On the sixth of February, a treaty of amity and commerce, and also an eventual defensive treaty of alliance, was concluded between the king of France and the United States. They were founded on principles of equality and reciprocity, and for the most part were in conformity to the proposals of congress. In commerce each party was to be placed on the footing of the most favored nation. The king of France promised his good offices with the princes and powers of Barbary. As to the fisheries, each party reserved to itself the exclusive possession of its own. Following the treaty of Utrecht as well as that of Paris, and accepting the French interpretation of them, the United States acknowledged the right of French subjects to fish on the banks of Newfoundland, and their exclusive right to half the coast of that island for drying-places. On the question of ownership in the event of the

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conquest of Newfoundland, the treaty was silent. The American proposal that free ships give freedom to goods and to persons except to soldiers in actual service of an enemy, was adopted. Careful lists were made out of contraband merchandises, and of those not contraband. The absolute and unlimited independence of the United States was described as the essential end of the defensive alliance; and the two parties mutually engaged not to lay down their arms until it should be assured by the treaties terminating the war. Moreover, the United States guaranteed to France the possessions then held by France in America, as well as those which it might acquire by a future treaty of peace; and in like manner the king of France guaranteed to the United States their present possessions, and their acquisitions during the war from the dominions of Great Britain in North America. A separate and secret act reserved to the king of Spain the power of acceding to the treaties.

The rumor of these treaties crossed the channel; but they could not arrest in parliament the senseless bickerings of parties, or the favorite amusement of badgering the friends of Rockingham about the declaratory act. On the eleventh, Hillsborough called out to the Duke of Richmond: "In what manner does he mean that England shall crouch to the vipers and rebels in America? By giving up the sacred right of taxation? or by yielding to America with respect to her absurd pretensions about her charters? or by declaring the thirteen provinces independent?" Richmond answered: "I never liked the declaratory act; I voted for it with

regret to obtain the repeal of the stamp act; I wish we could have done without it; I looked upon it as a piece of waste paper that no minister would ever have the madness to revive; I will with pleasure be the first to repeal it, or to give it up." In this mood Richmond sought to act in harmony with Chatham. On the same day, in the house of commons young George Grenville attacked the administration in the harshest terms, and proposing a change of ministry, pointed out Lord Chatham as the proper person to treat with America. The very sincere and glowing words of eulogy spoken by the son of the author of the stamp-tax were pleasing to Lord Chatham in these his last days.

While the British government stumbled about in the dark, Franklin placed the public opinion of philosophical France conspicuously on the side of America. No man of that century so embodied the idea of toleration as Voltaire; for fame he was unequalled among living men of letters; for great age he was venerable; he, more than Louis the Sixteenth, more than the cabinet of the king, represented France of that day; and now he was come up to Paris, bent with years, to receive before his death the homage of the people. Wide indeed was the difference between him and America. "I have done more in my day than Luther or Calvin," was his boast; and America, which was reverently Protestant, and through Protestantism established not the toleration but the equality of all churches and opinions, did not count him among her teachers. He had given out that if there was not a God, it would be necessary to invent him; and

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America held that any god of man's invention is an idol, that God must be worshipped in truth as well as in spirit. But for the moment America and Voltaire were on one side; and before he had been a week in Paris, Franklin claimed leave to wait upon him. We have Voltaire's own account of the interview. Franklin bade his grandson demand the benediction of the more than octogenarian, and in the presence of twenty persons he gave it in these words: "God and Liberty!" Everywhere Voltaire appeared as the friend of America. Being in company with the young wife of Lafayette, he sought occasion to express to her his admiration for the heroism of her husband and for the cause which he served.

Almost simultaneously, Lord North, on the seventeenth of February, made known to the house of commons the extent of his conciliatory propositions. Of the two bills, one declared the intention of the parliament of Great Britain not to exercise the right of imposing taxes within the colonies of North America, the other authorized commissioners to be sent to the United States. In a speech of two hours, Lord North avowed that he had never had a policy of his own. He had never proposed any tax on America; he had found the tea-tax imposed, and while he declined to repeal it, he never devised means to enforce it; the commissioners would have power to treat with congress, with provincial assemblies, or with Washington; to order a truce; to suspend all laws; to grant pardons and rewards; to restore the form of constitution as it stood before the troubles. "A dull, melancholy silence for some

time succeeded to this speech. It had been heard with profound attention, but without a single mark of approbation to any part from any party or man in the house. Astonishment, dejection, and fear overclouded the assembly." After the house of commons had given leave to bring in the bills, Hartley, acting on an understanding with Lord North, enclosed copies of them to Franklin. Franklin, with the knowledge of Vergennes, answered: "If peace, by a treaty with America, upon equal terms, were really desired, your commissioners need not go there for it. Seriously, if wise and honest men, such as Sir George Saville, the bishop of St. Asaph, and yourself, were to come over here immediately with powers to treat, you might not only obtain peace with America, but prevent a war with France." CHAP. XXVIII. 1778. Feb.

The conciliatory bills, which with slight modifications became statutes by nearly unanimous consent, confirmed the ministry in power. The king of France deemed it required by his dignity to make a formal declaration to Great Britain of his treaties with the United States. British ships of war had captured many French ships, but the ministry had neither communicated the instructions under which their officers acted, nor given heed to the reclamations of the French government. This dictated the form of the rescript which on the thirteenth of March was left by the French ambassador with the British secretary of state. It announced that "the United States of North America are in full possession of independence, which they had declared on the fourth of July, 1776; that to consolidate the connection between the two nations, their March.

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respective plenipotentiaries had signed a treaty of friendship and commerce, but without any exclusive advantages in favor of the French nation." And it added: "The king is determined to protect the lawful commerce of his subjects, and for that purpose has taken measures in concert with the United States of North America."

This declaration was held to establish a state of war between England and France. The British ambassador was immediately recalled from Paris, and the recall notified to the French ambassador. Lord North became despondent, and desired to make way for Lord Chatham. The king on the fifteenth answered: "I am willing to accept through you any person that will come avowedly to the support of your administration. On a clear explanation that Lord Chatham is to step forth to support you, I will receive him with open arms. Having said this, I will only add, to put before your eyes my most inmost thoughts, that no advantage to my country nor personal danger to myself can make me address myself to Lord Chatham, or to any other branch of opposition. Honestly, I would rather lose the crown I now wear, than bear the ignominy of possessing it under their shackles. You have now full power to act, but I don't expect Lord Chatham and his crew will come to your assistance." Fox would have consented to a coalition had it been agreeable to his friends. Shelburne, on being consulted, answered instantly: "Lord Chatham must be the dictator. I know that Lord Chatham thinks any change insufficient which does not comprehend a great law arrange-

ment and annihilate every party in the kingdom." When this reply was reported to the king, he broke out with violence: "Lord Chatham, that perfidious man, as dictator! I solemnly declare that nothing shall bring me to treat personally with Lord Chatham. Experience makes me resolve to run any personal risk rather than submit to a set of men who certainly would make me a slave for the remainder of my days."

After a night's rest, the king wrote with still more energy: "My dear lord, no consideration in life shall make me stoop to opposition. Whilst any ten men in the kingdom will stand by me, I will not give myself up into bondage. My dear lord, I will rather risk my crown than do what I think personally disgraceful. If the nation will not stand by me, they shall have another king, for I never will put my hand to what will make me miserable to the last day of my life."

On the same day the king communicated to parliament the rescript of the French ambassador. In the commons, Conway said: "What have we to do but to take up the idea that Franklin has thrown out with fairness and manliness?" Among the lords, Rockingham advised to break the alliance between France and the United States by acknowledging American independence. Richmond still hoped to avoid a war. Lord Shelburne dwelt on the greatness of the affront offered by France, and the impossibility of not resenting it. Yet Shelburne would not listen to an overture in private from the ministers. "Without Lord Chatham," he said, "any new arrangement would be inefficient; with Lord Chat-

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ham nothing could be done but by an entire new cabinet and a change in the chief departments of the law." On the report of this language, the king, beside himself with anger, but fixed in his purpose, wrote his last word to Lord North: "Rather than be shackled by these desperate men, I will see any form of government introduced into this island; and lose my crown rather than wear it as a disgrace."

CHAPTER XXIX.

THE UNITED STATES AND FRANCE.

1778.

The twentieth of March was the day appointed for the presentation at Versailles of the American commissioners to the king. The world thought only of Franklin; but he was accompanied by his two colleagues and by the unreceived ministers to Prussia and Tuscany. These four glittered in lace and powder; the patriarch was dressed in the plain gala coat of Manchester velvet which he had used at the levee of George the Third, — the same which, according to the custom of that age, he had worn, as it proved for the last time in England, when as agent of Massachusetts he had appeared before the privy council, — with white stockings, as was the use in England, spectacles on his nose, a round white hat under his arm, and his thin gray hair in its natural state. The king, without any unusual courtesy, said to them: "I wish congress to be assured of my friendship." After the ceremony they

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dined with the secretary for foreign affairs. Two days later they were introduced to the still youthful Marie Antoinette, who yielded willingly to generous impulses, and gave her sympathy to the cause of America. The ladies of her household caught her enthusiasm. The king felt all the while as if he were wronging the cause of monarchy by his acknowledgment of rebels, and engaged in the American revolution against his own will in obedience to the advice of Maurepas and the opinion of his cabinet on his duty to France. Personally he was irritated, and did not disguise his vexation. The praises lavished on Franklin by those around the queen fretted him to peevishness, and he mocked the enthusiasm of one of the loveliest of her companions by the coarsest jest.

The pique of the king was not due to any defect in Franklin. He was a man of the best understanding, never disturbed by recollections or fears, with none of the capricious anxieties of diseased minds, or the susceptibilities of disturbed self-love. Free from the illusions of poetic natures, he loved truth for its own sake, and looked upon things just as they were. As a consequence, he had no eloquence but that of clearness. He computed that the inheritor of a noble title in the ninth generation represents at most but the five hundred and twelfth part of the ancestor; nor was he awed by a crosier or dazzled by a crown. He knew the moral world to be subjected to laws like the natural world; in conducting affairs he remembered the necessary relation of cause to effect, aiming only at what was possible; and with a tranquil mind he signed the

treaty with France, just as with a tranquil eye he had contemplated the dangers of his country. In regard to money he was frugal, that he might be independent, and that he might be generous. He owed good health to his exemplary temperance. Habitually gay, employment was his resource against weariness and sorrow, and contentment came from his superiority to ambition, interest, or vanity. There was about him more of moral greatness than appeared on the surface; and while he made no boast of unselfish benevolence, there never lived a man who would have met martyrdom in the course of duty more surely or more unmoved.

The official conduct of Franklin and his intercourse with persons of highest rank were marked by the most delicate propriety, as well as by perfect self-respect. His charm was simplicity, which gave grace to his style and ease to his manners. No life-long courtier could have been more free from vulgarity; no diplomatist more true to his position as minister of a republic; no laborer more consistent with his former life as a working-man; and thus he won respect and love from all. When a celebrated cause was to be heard before the parliament of Paris, the throng which filled the house and its approaches opened a way on his appearance, and he passed through to the seat reserved for him amidst the acclamations of the people. At the opera, at the theatres, similar honors were paid him. It is John Adams who said: "Not Leibnitz or Newton, not Frederic or Voltaire, had a more universal reputation; and his character was more beloved and esteemed than that of them all." Throughout Europe,

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there was scarcely a citizen or a peasant of any culture who was not familiar with his name, and who did not consider him as a friend to all men. At the academy, D'Alembert addressed him as the man who had wrenched the thunderbolt from the cloud, the sceptre from tyrants; and both these ideas were of a nature to pass easily into the common mind. From the part which he had taken in the emancipation of America, imagination transfigured him as the man who had separated the colonies from Great Britain, had framed their best constitutions of government, and by counsel and example would show how to abolish all political evil throughout the world. Malesherbes spoke of the excellence of the institutions that permitted a printer, the son of a tallow-chandler, to act a great part in public affairs; and if Malesherbes reasoned so, how much more the workmen of Paris and the people. Thus Franklin was the venerable impersonation of democracy, yet so calmly decorous, so free from a disposition to quarrel with the convictions of others, that, while he was the delight of freethinking philosophers, he escaped the hatred of the clergy, and his presence excited no jealousy in the old nobility, though sometimes a woman of rank might find fault with his hands and skin, which toil had imbrowned. Yet he understood the movement of the French of his day. He remarked to those in Paris who learned of him the secret of statesmanship: "He who shall introduce into public affairs the principles of primitive Christianity will change the face of the world;" and we know from Condorcet that while in France he said one day in a public company:

"You perceive liberty establish herself and flourish almost under your very eyes; I dare to predict that by and by you will be anxious to taste her blessings." In this way he conciliated the most opposite natures; yet not for himself. Whatever favor he met in society, whatever honor he received from the academy, whatever respect he gained as a man of science, whatever distinction came to him through the good-will of the people, whatever fame he acquired throughout Europe, he turned all to account for the good of his country. Surrounded by colleagues some of whom envied him and for no service whatever were greedy of the public money, he threw their angry demands into the fire. Arthur Lee intrigued to supplant him with the persevering malignity of consuming envy; the weak and incompetent Izard brought against him charges which bear the strangeness of frenzy; but he met their hostility by patient indifference. Never detracting from the merit of any one, he did not disdain glory, and he knew how to pardon envy. Great as were the injuries which he received in England, he used towards that power undeviating frankness and fairness, and never from resentment lost an opportunity of promoting peace. CHAP. XXIX. 1778. March.

In England, Rockingham, Richmond, Burke, Fox, Conway, respected Franklin, and desired to meet his offers. So, too, did Lord North, though he had not courage to be true to his convictions. On the other side stood foremost and firmest the king, and Chatham arrayed himself against American independence. Richmond, as a friend to liberty, made frank advances to Chatham, sending him the draught of April.

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an address which he was to move in the house of lords, and entreating of him reunion, mutual confidence, and support. Chatham rejected his overture, and avowed the purpose of opposing his motion. Accordingly, on Tuesday, the seventh of April, against earnest requests, Lord Chatham, wrapped up in flannel to the knees, pale and wasted away, his eyes still retaining their fire, came into the house of lords, leaning upon his son William Pitt and his son-in-law Lord Mahon. The peers stood up out of respect as he hobbled to his bench. The Duke of Richmond proposed and spoke elaborately in favor of an address to the king which in substance recommended the recognition of the independent sovereignty of the thirteen revolted provinces and a change of administration. Chatham, who alone of British statesmen had a right to invite America to resume her old connection, rose from his seat with slowness and difficulty, leaning on his crutches and supported under each arm by a friend. His figure was marked with dignity, and he seemed a being superior to all those around him. Raising one hand from his crutch, and casting his eyes towards heaven, he said: "I thank God, that, old and infirm, and with more than one foot in the grave, I have been able to come this day to stand up in the cause of my country, perhaps never again to enter the walls of this house." The stillness that prevailed was most affecting. His voice, at first low and feeble, rose and became harmonious; but his speech faltered, his sentences were broken, his words no more than flashes in the midst of darkness, shreds of sublime but unconnected eloquence. He recalled his prophecies

of the evils which were to follow such American measures as had been adopted, adding at the end of each: "and so it proved." He could not act with Lord Rockingham and his friends, because they persisted in unretracted error. With the loftiest pride he laughed to scorn the idea of an invasion of England by Spain or by France or by both. "If peace cannot be preserved with honor, why is not war declared without hesitation? This kingdom has still resources to maintain its just rights. Any state is better than despair. My lords! I rejoice that the grave has not closed upon me, that I am still alive to lift up my voice against the dismemberment of this ancient and most noble monarchy." The Duke of Richmond answered with respect for the name of Chatham, so dear to Englishmen; but he resolutely maintained the wisdom of avoiding a war in which France and Spain would have America for their ally. Lord Chatham would have replied; but, after two or three unsuccessful efforts to rise, he fell backwards, and seemed in the agonies of death. Every one of the peers pressed round him, save only the Earl of Mansfield, who sat unmoved. The senseless sufferer was borne from the house with tender solicitude to the bed from which he never was to rise.

The king in great glee wrote at once to Lord North: "May not the political exit of Lord Chatham incline you to continue at the head of my affairs?" The world was saddened by the loss of so great a man. The appearance of Lord Chatham was never more beautiful than in these last months of his public career. He came to parliament still

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clad in the robes of rhetoric, with an all-impassioned love of liberty, the proudest nationality, and his old disdain of the house of Bourbon; and like a winter's sun surrounded but not darkened by vapors, he set in glory amidst the sorrows of his country, which were as massive clouds about his brilliant pathway to the grave. His eloquence in the early part of the session seemed to some of his hearers to surpass all that they had ever heard of the celebrated orators of Greece or Rome. In his last days, forgetting that when he had been minister he had carried his measures by a borrowed majority, he was still dreaming of an ideal England with a parliament of the people; and with a haughtiness all the more marvellous from his age, decrepitude, and insulation, he confronted alone all branches of the nobility, who had lost a continent in the vain hope of saving themselves a shilling in the pound of the land-tax, and declared that there could be no good government but under law interpreted in favor of liberty, and an administration that should crush to atoms the political influence of all parties of the aristocracy. He died like a hero struck down on the field of battle after the day was lost, still in heart though not in place the great commoner. With logical consistency, the house of lords refused to attend his funeral. Who then foresaw that France, which was looked upon as the country of despotism, would sow the seeds of a popular revolution in Spain, and in little more than half a century would, by the magic influence of its example, force the landed proprietors of England to an incipient reform of parliament?

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By this time the news of the French treaty with the United States had spread through Europe. It was received at Saint Petersburg with very lively satisfaction. In England the king, the ministry, parliament, the British nation, all were unwilling to speak the word independence, wishing at least to retain some preference by compact. France in her treaty of commerce asked no favor, considering equality as the only fit basis for a permanent friendship. Custom, mutual confidence, sameness of language and of civil law, the habit of using English manufactures, their cheapness and merit, of themselves secured to England almost a monopoly of American commerce for a generation, and yet she stickled for the formal concession of some special commercial advantages. Deluded by the long usage of monopoly, she would not see that equality was all she needed. Once more Hartley, as an informal agent from Lord North, repaired to Paris to seek of Franklin an offer of some alliance, or at least of some favor in trade. Franklin answered him as he answered other emissaries, that as to independence the Americans enjoyed it already, its acknowledgment would secure to Britain equal but not superior advantages in commerce with other nations. Fox was satisfied with this offer; and on the tenth, when it was moved in the house of commons to enlarge the powers of the commissioners, he held up to view that greater benefits to trade would follow from friendly relations with independent America than from nominal dependence.

Fox was in the right, but was not heeded. Had Chatham lived and obtained power, the course of

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events would not have been changed. Jackson, the former colleague of Franklin and secretary of Grenville, refused to be of the commission for peace, because he saw that it was a delusion accorded by the king to quiet Lord North, and to unite the nation against the Americans. Long before the commissioners arrived, the United States had taken its part. On the twenty-first of April, Washington gave his opinion to a member of congress: "Nothing short of independence can possibly do. A peace on any other terms would be a peace of war. The injuries we have received from the British nation were so unprovoked, and have been so great and so many, that they can never be forgotten. Our fidelity as a people, our character as men, are opposed to a coalition with them as subjects." Upon the twenty-second, a day of general public fasting and humiliation, with prayers to Almighty God to strengthen and perpetuate the union, in their house of worship congress resolved "to hold no conference or treaty with any commissioners on the part of Great Britain, unless they shall, as a preliminary thereto, either withdraw their fleets and armies, or in positive and express terms acknowledge the independence of the states." "Lord North is two years too late with his political manœuvre," responded George Clinton, then governor of New York. Jay met not a single American "willing to accept peace under Lord North's terms." "No offers," wrote Robert Morris, "ought to have a hearing of one moment unless preceded by acknowledgment of our independence, because we can never be a happy people under their domination. Great

Britain would still enjoy the greatest share and most valuable parts of our trade."

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Since Britain would grant no peace, on the tenth the French king despatched from Toulon a fleet laden with provisions for nine months and military stores, bearing Gerard as his minister to the congress of the United States, that the alliance between France and America might be riveted. On the twenty-ninth, when, in the presence of Franklin and his newly arrived colleague John Adams, Voltaire was solemnly received by the French academy, philosophic France gave the right hand of fellowship to America as its child by adoption. The numerous assembly demanded a visible sign of the union of the intellect of the two continents, and in the presence of all that was most distinguished in letters and philosophy, Franklin and Voltaire kissed one another. It was a recognition that the war for American independence was a war for freedom of mind.

Many causes combined to procure the alliance of France and the American republic; but the force which brought all influences harmoniously together, overruling the timorous levity of Maurepas and the dull reluctance of Louis the Sixteenth, was the movement of intellectual freedom. We are arrived at the largest generalization thus far in the history of America.

The spirit of free inquiry penetrated the Catholic world as it penetrated the Protestant world. Each of their methods of reform recognised that every man shares in the eternal reason, and in each the renovation proceeded from within the soul.

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Luther, as he climbed on his knees the marble steps of a church at Rome, heard a voice within him cry out: "Justification is by faith alone." The most stupendous thought that was ever conceived by man, such as had never been dared by Socrates or the academy, by Aristotle or the Stoics, took possession of Descartes on a November night in his meditations on the banks of the Danube. His own mind separated itself from everything beside, and in the consciousness of its own freedom stood over against all tradition, all received opinion, all knowledge, all existence except itself, thus asserting the principle of individuality as the key-note of all coming philosophy and political institutions. Nothing was to be received by a man as truth which did not convince his own reason. Luther opened a new world in which every man was his own priest, his own intercessor; Descartes opened a new world in which every man was his own philosopher, his own judge of truth.

A practical difference marked the kindred systems: the one was the method of continuity and gradual reform; the other of an instantaneous, complete, and thoroughly radical revolution. The principle of Luther waked up a superstitious world, "asleep in lap of legends old," but did not renounce all external authority. It used drags and anchors to check too rapid a progress, and to secure its moorings. So it escaped premature conflicts. By the principle of Descartes the individual man at once and altogether stood aloof from king, church, universities, public opinion, traditional science, all external authority and all other beings, and turning every intruder

out of the inner temple of the mind, kept guard at its portal to bar the entry to every belief that had not first obtained a passport from himself. No one ever applied the theory of Descartes with rigid inflexibility; a man can as little move without the weight of the superincumbent atmosphere, as escape altogether the opinions of the age in which he sees the light; but the theory was there, and it rescued philosophy from bondage to monkish theology, forbade to the church all inquisition into private opinion, and gave to reason, and not to civil magistrates, the maintenance of truth. The nations that learned their lessons of liberty from Luther and Calvin went forward in their natural development, and suffered their institutions to grow and to shape themselves according to the increasing public intelligence. The nations that learned their lessons of liberty from Descartes were led to question everything, and by creative power renew society through the destruction of the past. The spirit of liberty in all Protestant countries was marked by moderation. The German Lessing, the antitype of Luther, said to his countrymen: "Don't put out the candles till day breaks." Out of Calvinistic Protestantism rose in that day four great teachers of four great nationalities, America, Great Britain, Germany, and France. Edwards, Reid, Kant, and Rousseau were all imbued with religiosity, and all except the last, who spoiled his doctrine by dreamy indolence, were expositors of the active powers of man. All these in political science, Kant most exactly of all, were the counterpart of America, which was conducting a revolution on the highest principles of freedom

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with such circumspection that it seemed to be only a war against innovation. On the other hand, free thought in France, as pure in its source as free thought in America, became speculative and skeptical and impassioned. This modern Prometheus, as it broke its chains, started up with a sentiment of revenge against the ecclesiastical terrorism which for centuries had sequestered the rights of mind. Inquiry took up with zeal every question in science, politics, and morals. Free thought paid homage to the "majesty of nature," investigated the origin of species, analyzed the air we breathe, pursued the discoveries of Columbus and Copernicus, mapped the skies, explored the oceans and measured the earth, revived ancient learning, revelled in the philosophy of Greece, which, untrammelled by national theology, went forth to seek the reason of things, nursed the republican sentiment by study of the history of Athens and Rome, spoke words for liberty on the stage, and adapted the round of learning to the common understanding. Now it translated and scattered abroad the writings of Americans and the new American constitutions; and the proud intellect of France was in a maze, Turgot and Condorcet melted with admiration and sympathy as they read the organic laws in which the unpretending husbandmen of a new continent had introduced into the world of real life the ideas that for them dwelt only in hope. All influences that favored freedom of mind conspired together. Anti-prelatical puritanism was embraced by anti-prelatical skepticism. The exile Calvin was welcomed home as he returned by way of New England and the states where Huguenots

and Presbyterians prevailed. The lineage of Calvin and the lineage of Descartes met together. One great current of vigorous living opinion, which there was no power in France capable of resisting, swept through society, driving all the clouds in the sky in one direction. Ministers and the king and the nation were hurried along together. CHAP. XXIX. 1778.

The wave of free thought broke as it rolled against the Pyrenees. The Bourbon of France was compelled into an alliance with America; the Bourbon of Spain, disturbed only by the remonstrances of De Aranda, his ambassador in Paris, was left to pursue a strictly national policy. The Spanish people did not share the passion and enthusiasm of the French, for they had not had the training of the French. In France there was no Inquisition; in Spain the king would have submitted his own son to its tribunal. For the French soldier Descartes, the emancipator of thought, Spain had the soldier Loyola to organize repression; for the proud Corneille, so full of republican fire, Spain had the monkish Calderon. There no poet like Molière unfrocked hypocrisy. Not only had Spain no Calvin, no Voltaire, no Rousseau; she had no Pascal to mock at casuistry; no prelate to instruct her princes in the rights of the people like Fénelon, or defend her church against Rome, or teach the equality of all men before God like Bossuet; no controversies through the press like those with the Huguenots; no edict of toleration like that of Nantes. A richly endowed church always leans to Arminianism and justification by works; and it was so in Spain, where the spiritual instincts of man, which are the life of

CHAP. XXIX. 1778. freedom, had been trodden under foot, and almsgiving to professed mendicants usurped the place of charity. Natural science in its progress gently strips from religion the follies of superstition, and purifies and spiritualizes faith; in Spain it was dreaded as of kin to the Islam; and as the material world was driven from its rightful place among the objects of study, it avenged itself by overlaying religion. The idea was lost in the symbol; to the wooden or metal cross was imputed the worth of inward piety; religious feeling was cherished by magnificent ceremonies to delight the senses; penitence in this world made atonement by using the hair shirt, the scourge, and maceration; the immortal soul was thought to be purged by material flames; the merciless Inquisition wrapped the cimeter of the prophet in the folds of the gospel, kept spies over opinion in every house by the confessional, and quelled unbelief by the dungeon, the torture, and the stake. Free thought was rooted out in the struggle for homogeneousness. Nothing was left in Spain that could tolerate Protestantism, least of all the stern Protestantism of America; nothing congenial to free thought, least of all to free thought as it was in France.

France was all alive with the restless spirit of inquiry; the country beyond the Pyrenees was still benumbed by superstition and priestcraft and tyranny over mind, and the church through its organization maintained a stagnant calm. As there was no union between the French mind and the Spanish mind, between the French people and the Spanish people, the union of the governments was simply

the result of the family compact, which the engagement between France and the United States without the assent of Spain violated and annulled. Moreover, the self-love of the Catholic king was touched, that his nephew should have formed a treaty with America without waiting for his advice. Besides, the independence of colonies was an example that might divest his crown of its possessions in both parts of America; and the danger was greatly enhanced by the establishment of republicanism on the borders of his transatlantic provinces, where he dreaded it as more surely fatal than all the power of Great Britain.

The king of France, whilst he declared his wish to make no conquest whatever in the war, held out to the king of Spain, with the consent of the United States, the acquisition of Florida; but Florida had not power to allure Charles the Third, or his ministry, which was a truly Spanish ministry and wished to pursue a truly Spanish policy. There was indeed one word which, if pronounced, would be a spell potent enough to alter their decision, a word that calls the blood into the cheek of a Spaniard as an insult to his pride, a brand of inferiority on his nation. That word was Gibraltar. Meantime, the king of Spain declared that he would not then, nor in the future, enter into the quarrel of France and England; that he wished to close his life in tranquillity, and valued peace too highly to sacrifice it to the interests or opinions of another.

So the flags of France and the United States went together into the field against Great Britain, unsupported by any other government, yet with the good

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wishes of all the peoples of Europe. The benefit then conferred on the United States was priceless. In return, the revolution in America came opportunely for France. During the last years of Louis the Fourteenth and the reign of Louis the Fifteenth, she lost her productive power and stumbled about in the regions of skepticism. She aspired to deny, and knew only how to deny; yet that France which its own clergy calumniated as a nation of atheists was the lineal successor of the France which raised cathedrals on each side of the channel, the France which took up the banner of the very God in-dwelling in man against paganized Christianity and against the Islam, the France which delivered free thought from the bondage of centuries, the France which maintained Gallican liberties against papal Rome. For the blessing of that same France, America brought new life and hope; she superseded skepticism by a wise and prudent enthusiasm in action, and bade the nation that became her ally lift up its heart from the barrenness of doubt to the highest affirmation of God and liberty, to freedom in union with the good, the beautiful, and the true.

END OF VOL. IX.

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